



AGENDA
PLANNING COMMISSION
March 21, 2022 at 6:30 PM

Call to Order

Consideration of Minutes

1. PC MINUTES-FEB. 14, 2022

Disclosures and Recusals

Old Business

New Business

2. APPEAL:TREE ORDINANCE-2 GABBY LANE-40003 01036-ZONE R-1-B-JAY SCHMETZ
3. APPEAL:TREE ORDINANCE-2 HORSEPEN POINT DR-40015 02001-ZONE R-2-TERRY TIMMONS
4. SITE PLAN REVIEW: FOURTH STREET LOCATION-CITY HALL TEMPORARY BUILDINGS-CITY OF TYBEE

Adjournment

Standing Items

Adjournment

PLANNING COMMISSION

Marie Gooding
 Susan Hill
 David McNaughton
 Elaine McGruder
 Whitley Reynolds
 Marie Rodriguez
 Martha Williams



CITY MANAGER
 Shawn Gillen

COMMUNITY DEVELOPMENT DIRECTOR
 George Shaw

CITY ATTORNEY
 Edward M. Hughes

Planning Commission Meeting
MINUTES
February 14, 2022

Mayor Shirley Sessions called the February 14, 2022 Tybee Island Planning Commission meeting to order. Commissioners present were **Marie Gooding, Susan Hill, David McNaughton, Elaine McGruder, Whitley Reynolds, Marie Rodriguez** by zoom and **Martha Williams**.

Planning Commission Oath administered by Mayor Shirley Sessions
(2-year terms end January 31, 2024):

Mayor Shirley Sessions stated the first order of business would be the installation of our newly appointed members, which are **Whitley Reynolds, Elaine McGruder, Martha Williams** and **Marie Rodriguez**. **Mayor Shirley Sessions** asked the newly appointed members to stand and raise their right hand and repeat the oath. **Mayor Shirley Sessions** then thanked the new members and stated how important their work is to this community.

Elections:

Mayor Shirley Sessions asked if there were any nominations for chair and vice chair of the Planning Commission. **Whitley Reynolds** made a motion to nominate **David McNaughton** for chair. **Elaine McGruder** seconded. **Whitley Reynolds** made a motion to nominate **Elaine McGruder** for vice chair. **Marie Rodriguez** seconded. The votes were unanimous for both chair and vice chair. **Mayor Shirley Sessions** then handed the meeting over to **Chair David McNaughton**.

Consideration of Minutes:

Chair David McNaughton asked for consideration of the January 10, 2022 meeting minutes. **Elaine McGruder** made a motion to approve. **Whitley Reynolds** seconded. The vote to approve was unanimous.

Disclosures/Recusals:

Chair David McNaughton asked if there were any disclosures/recusals: there were none.

Old Business:

SUBDIVISION OF LAND: recombination of lots on Mortar Avenue-zone R-1 – CFK Properties-Chris Koncul.

George Shaw stated this was brought back because of a mistake on the staff report of the zoning district for the property. The correct zone is listed now in the staff report as R-1. **Martha Williams** asked if they need a variance since they are only 50' wide and not 60' wide per the ordinance. **George Shaw** stated no they are lots of record at 50' wide. **Allan Lewis** who lives at 8 Lighthouse Lane approached the Planning Commission and stated he feels a current DNR line should be done. **Chris Koncul** who lives at 5600 Turners Rock Road approached the Planning Commission and stated the lots are already lots of record platted at 50'x 90' and he is

taking 15 lots and only using the four that have the most upland. He also stated the DNR line only last a year so he will submit that again when he is ready to build. **Whitley Reynolds** made a motion to approve. **Marie Rodriguez** seconded. The vote was **Marie Gooding, Whitley Reynolds, Marie Rodriguez** and **Susan Hill** to approve and **Elaine McGruder** to deny. The vote was 5 to 1 to approve.

New Business:

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

George Shaw stated the Marine Science Center would like to cover the area on the west side that is all concrete and gets very hot. They have submitted this design that will have solar panels on top to cool the area and create a picnic area. Staff recommends approval. **Martha Williams** stated the drawings do not look like they are the same sizes. **George Shaw** stated these are not the construction drawings and they will have to submit those for the permit. **Jeanne Hutton** who lives at 1306 Venetian Drive and is also on the board of the Marine Science Center approached the Planning Commission and stated the original plan was for fourteen kilowatts and then the fence for the playground came in and impacted the space so now the plan is to adjust the pavilion as best we can to get the fourteen kilowatts. **Marie Gooding** made a motion to continue and come back to Planning Commission with a more specific and complete plan. **Whitley Reynolds** seconded. The vote to continue was unanimous.

SUBDIVISION OF LAND: requesting new subdivision – 708 Butler Ave. – 40005 20006 – Zone R-2 - CFK Properties – Chris Koncul.

VARIANCE: requesting hammer head in lieu of a cul- de-sac – 708 Butler Ave. – 40005 20006 – Zone R-2 – CFK Properties – Chris Koncul

George Shaw stated the applicant would like to create ten lots that includes the home already on the property. This will be a private gated community and will establish a home owners association. They are also asking for variance to put in a hammerhead as opposed to a cul-de-sac. The fire chief is ok with the hammerhead as long as the pavement has a twenty foot width. The applicant would also like to save as many trees as possible. Staff recommends approval. **B. H. Levy Jr.**, who lives at 2 Eighth Street, approached the Planning Commission and stated will there be enforcement on the parking on the hammerhead street. And will the homes to be built be single family and not duplexes. **Chris Koncul**, who lives at 5600 Turners Rock Road, approached the Planning Commission and stated there will be only single family homes. And signs for no parking will be posted around the hammerhead and the police will have access to the property. **David McNaughton** asked why the hammerhead and not a cul-de-sac. **Chris Koncul** stated he thought it would look better and give more room to the area. **Mark Boswell**, the engineer on the project who lives at 103 Nassau Drive, approached the Planning Commission and stated the HOA will be handled by the owner until the majority homes are sold then the HOA can be taken over by a true HOA. **Michael Sergi**, who lives at 6B 7th Terrace, approached the Planning Commission and stated this property means a lot to him and he would like the builder to save the trees in front and hopefully save the historic home on the property. This property is the only one left that resembles what Tybee used to look like. **Whitley Reynolds** made a motion to approve the variance request. **Martha Williams** seconded. The vote was **Elaine McGruder, Marie Gooding, Whitley Reynolds, Marie Rodriguez** and **Martha Williams** to approve and **Susan Hill** to deny. The vote was 5 to 1 to approve. **Whitley Reynolds** made a motion to approve the subdivision request with a condition that there be a legal document or agreement to preserve the trees. **Marie Gooding** seconded. The vote was **Elaine McGruder, Marie Gooding, Whitley Reynolds, Marie Rodriguez** and **Martha Williams** to approve and **Susan Hill** to deny. The vote was 5 to 1 to approve.

Adjournment: 8:30pm

Lisa L. Schaaf



STAFF REPORT

PLANNING COMMISSION MEETING: March 21, 2022
 CITY COUNCIL MEETING: April 14, 2022

LOCATION: 2 Gabby Lane

PIN: 40003 01036

APPLICANT: Jay Schmetz

OWNER: Jay Schmetz

EXISTING USE: Single family home

PROPOSED USE: Same

ZONING: R-1B

USE PERMITTED BY RIGHT: yes

COMMUNITY CHARACTER MAP: Ft. Screven Historic District

APPLICATION: Appeal of actions Sec. 7-100 regarding mitigation of trees removed without a permit.

PROPOSAL: The applicant is requesting that the tree mitigation requirement be waived due to the number of remaining trees on the lot.

ANALYSIS: The applicant removed ten trees without a permit. Six of these trees were on the significant tree list and two of them were located in the marsh. Since no permit was applied for or issued the City arborist had no opportunity to observe the trees before they were removed. The pine trees would most likely have been approved for removal as they are not significant trees. If indeed the one palm was dead it also would have been approved for removal. The oak that was allegedly causing damage to the HVAC stand may also have been approved for removal depending on the extent of the damage and/or prediction of continuing damage. Under no circumstances would healthy red cedars in the marsh or other significant trees have been approved for removal.

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

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

<i>Comprehensive Plan – Community Character Area North Beach Neighborhood – Section 1.2.9</i>		<i>Meets Strategy Y/N or N/A</i>
<i>Recommended Development Strategies</i>		
1.	Establish standards and guidelines for signage	N/A
2.	Provide signage for landmarks and historic businesses	N/A
3.	Preserve and restore historic structures whenever possible	N/A
4.	Provide appropriate incentives for historic restoration projects	N/A
5.	Ensure continued preservation of old growth trees, parks, and greenspace	N
6.	Support an improved bicycle and pedestrian environment with connected facilities	N/A
7.	Consider adoption of architectural standards for historic structures	N/A
8.		N/A

STAFF FINDING

While some of the trees may have been approved for removal, the City arborist never got a chance to review the trees since no permit was applied for. Staff recommends denial.

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Appeal
- B. SAGIS map (1 page)

Planning commission tree mitigation appeal 2-23-22 submitted to George Shaw

Name- Jay schmetz

Subject- Appeal of tree mitigation

Issue- 10 trees were removed from my property. Now the Court is wanting a tree mitigation done.

Explanation.

-3 dead trees removed. The trees had no bark or leaves and looked like driftwood sticking out of the ground.

-1 dead palm tree sticking 25 ft out of the ground with no top on it was removed. I assumed this was a dead tree as the top was completely off. We did not cut it off. It was off and that's why it was removed.

-3 pines were removed tall pines present a risk.

-There was a large tree leaning on my air conditioning platform that was removed

-I had hired a company to remove three of these trees. (The dead palm, one of the pines, and the tree leaning on the hvac platform). But the company cut down 5 trees. two of them were not approved by me yet I am being held accountable for someone else's actions.

-I removed two cedars as the area was like a forest and my son had come in close contact with a snake which prompted me to want to thin out the area. and the whole back yard was like an untamed forest. I considered most of these trees to present a danger to either my property or to any persons of whom they could possibly fall on.

Appeal. I Do not feel like I should have to replace any of the trees. Currently my property has well over 30 trees and more than meets the ordinance for the size of my property as to how many trees I am supposed to have on the property. I have more trees on my property then the other three houses on my side of the block combined.

Most Current Owner

Current Owner	Co-Owner	Care Of	Mailing Address
SCHMETZ SUZETTE CHARESE	SCHMETZ JAY HERBERT		1121 SANDHILL ROAD GUYTON GA 31312

Digest Owner (January 1)

Owner	Co-Owner	Address 1	Address 2	City	State	Zip
STREET STEPHEN J & MARY ANNE		P O BOX 610		TYBEE ISLAND GA		31328

Parcel

Status	ACTIVE
Parcel ID	40003 01036
Category Code	RES - Residential
Bill #	3019038
Address	2 GABBY LN
Unit # / Suite	
City	TYBEE ISLAND
Zip Code	31328-
Neighborhood	20226.00 - T226 TYB MARSH INLET
Total Units	
Zoning	R-1-B
Class	R3 - Residential Lots
Appeal Status	

R-1-B

Legal Description

Legal Description	LOT 1 MARSH INLET SUB PRB 16P 55 .19 ac
Deed Book	220V
Deed Page	0350

Permits

Permit #	Permit Date	Status	Type	Amount
170853-2	11/02/2017	Complete	RF - ROOF	\$5,710.00
030545-1	11/13/2003	Complete	WO - WOOD DECK	\$800.00

Inspection

Inspection Date	Reviewer ID
12/16/2021	RKRYZAK
01/15/2019	KMMORENO
12/09/2016	MWTHOMAS

Appraised Values

Tax Year	Land	Building	Appraised Total	Reason
2021	175,000	280,800	455,800	
2020	175,000	312,900	487,900	
2019	175,000	312,900	487,900	
2018	175,000	182,600	357,600	
2017	175,000	183,900	358,900	
2016	175,000	181,300	356,300	
2015	175,000	185,900	360,900	
2014	175,000	208,000	383,000	
2013	175,000	196,700	371,700	
2012	175,000	193,900	368,900	

Sales

Sale Date	Sale Price	Sale Validity	Instrument Book - Page	Grantor	Grantee
07/15/2021	560,000	Q	WD 2452 - 0435	STREET STEPHEN J.	SCHMETZ SUZETTE CHARESE
03/30/2001	272,000	Q	WD 220V - 0350	PADEREWSKI BARNEY & JULES	STREET STEPHEN J & MARY A
03/26/1999	0	U	WD 202C - 0700	CITY OF TYBEE ISLAND GA	PADEREWSKI BARNEY & JULES

Land

Line Number	1
Land Type	U - UNIT
Land Code	119 - MARSH VIEW
Square Feet	0
Acres	0
Influence Factor 1	
Influence Reason 1	
Influence Factor 2	
Influence Reason 2	

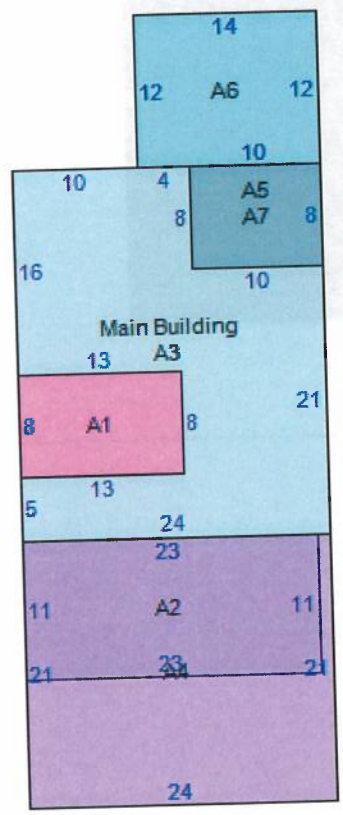
Residential Building

Card #	1
Actual Year Built	2000
Effective Year Built	
Type	1 - Single Family Residence
Style/Stories	2 - TWO STORY
Percent Complete	100
Quality	400

Condition: GD - GOOD
 Living Area: 1,738
 Cement Area: 0
 Finished Basement Area: No
 Bedrooms: 3
 Full / Half Baths: 2 / 1

3Y

Item	Description	Year Built:	Grade:	Units:	Override:	Area:
6616	HOUSE LIFTING, ELEV. ABOVE FLOOD PLAIN, RAISED FLR	2000	D	1		104



Item	Area
Main Building	512
- 6616:HOUSE LIFTING, ELEV. ABOVE FLOOD PLAIN, RAISED FLR	104
A1 - 100/100:100- LIVING SPACE/100- LIVING SPACE	104
A2 - 100/100:100- LIVING SPACE/100- LIVING SPACE	253
A3 - 721:721-Carport, Flat Roof (SF)	512
A4 - 721:721-Carport, Flat Roof (SF)	504
A5 - 903/903:903-Wood Deck (SF)/903-Wood Deck (SF)	80

A6 - 903:903-Wood Deck (SF)

168

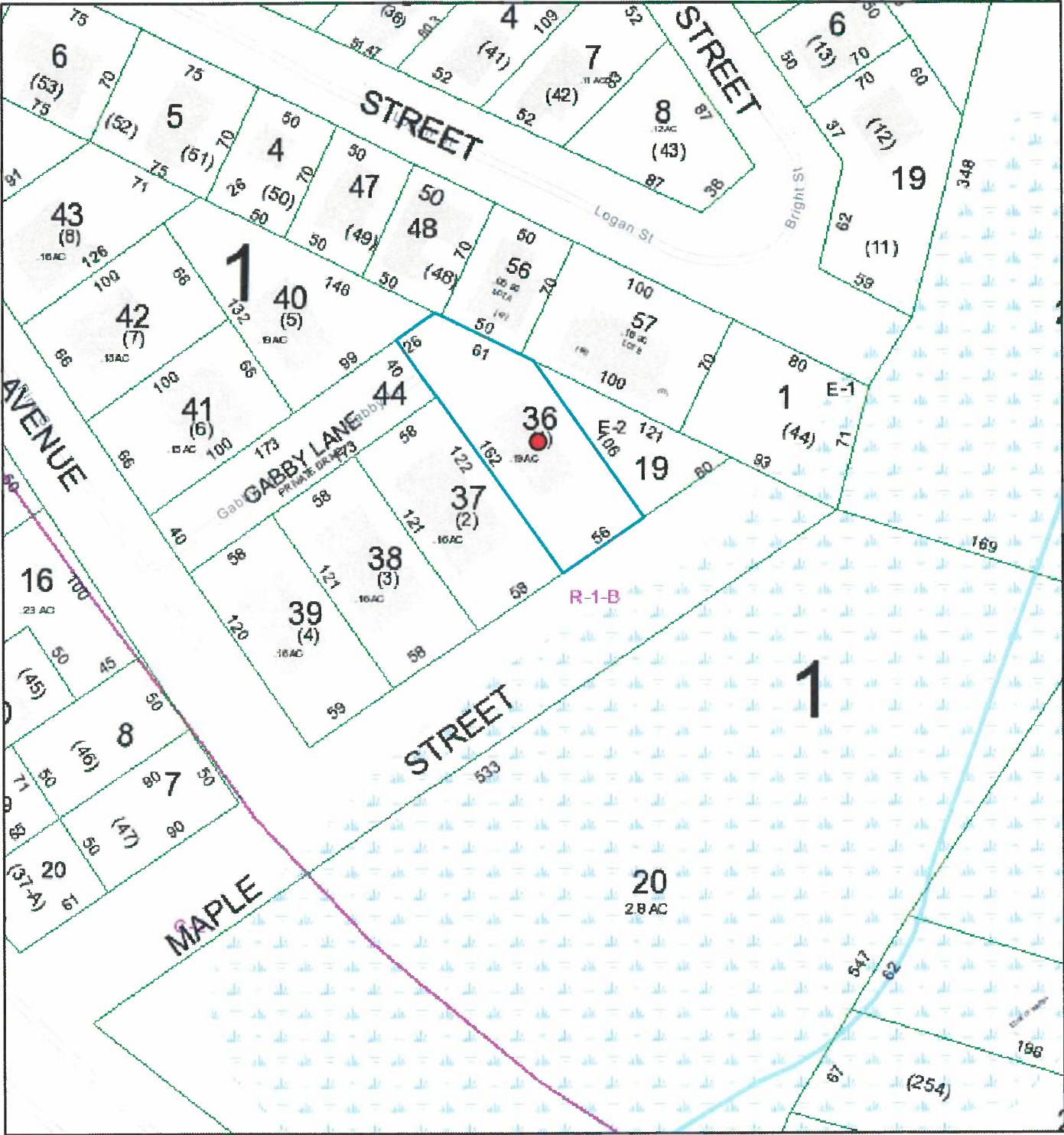
A7 - 904:904-Slab Porch (SF) with Roof

80

Item #2.

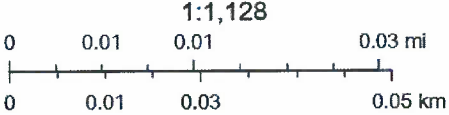


SAGIS Map Viewer



3/8/2022, 10:42:44 AM

- Zoning
- Property Boundaries (Parcels)

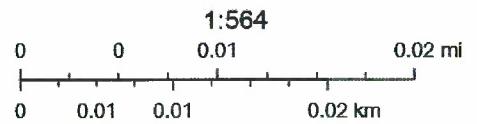


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3/8/2022, 10:44:03 AM

-  Zoning
-  Property Boundaries (Parcels)



SAGIS

2 Gabby Ln.

- ① 18 in. Multi-trunk Pine
- S ② 11 in. Palm
- S ③ 8 in. ^{water} Oak
- ④ 11 in. Pine
- ⑤ 6 in. Pine
- S ⑥ 14 in. Red Cedar ^{fresh}
- S ⑦ 21 in. Red Cedar ^{fresh}
- ⑧ 10 in. Pine
- S ⑨ 20 in. Multi Water Oak
- S ⑩ 19" Live Oak

\$100/inch

5 trees required

Lisa Schaaf

2 Gabby Lane

From: George Shaw
Sent: Friday, February 4, 2022 1:32 PM
To: Spokewheel Beats
Cc: Lisa Schaaf; Walter Hattrich
Subject: RE: tree mitigation appeal

Jay,

Carefully document everything you have mentioned below and submit a written description of your appeal. Contact Lisa with your appeal before the end of the month to get on the March planning commission agenda. It will go to CC on April 14.

I have copied Officer Hattrich. He may be able to have the hearing delayed until after your appeal has gone through.

George

From: Spokewheel Beats <lulunjay@gmail.com>
Sent: Friday, February 4, 2022 1:21 PM
To: George Shaw <gshaw@cityoftybee.org>
Subject: Re: tree mitigation appeal

My plan is to replace the least amount of trees possible. 3 of the trees were pines, another three were dead like driftwood sticking out of the ground, there was a palm that didn't have a top. I assumed it dead as well. These were also fangerous in that dead trees can gall on people. That leaves 3 trees. One of which was leaning on my air conditioning platform and two cedars. Which the state didn't care to pursue. I also have over 30 trees on the property, which more then meets the ordinance. If anything i will tell the court and state appointed attorney that the hearing hasn't taken place yet if it hasn't. This is by March 23rd which I would think will happen by then. George I don't feel I should have to replace these I have 30 trees and can't even walk to the back on my neighbors side without walking on there property. I asked the tree service i hired to remove three trees and he removed five there are 2 that he did and was not asked to temove. while I own the property I shouldn't be penalized for someone's else's actions.

On Fri, Feb 4, 2022, 1:10 PM George Shaw <gshaw@cityoftybee.org> wrote:

Jay,

I have no way to speed up the appeal process. I would suggest you have a mitigation plan in place before the court date. I would be happy to discuss this with you further.

George

From: lulunjay <lulunjay@earthlink.net>
Sent: Friday, February 4, 2022 12:14 PM
To: George Shaw <gshaw@cityoftybee.org>
Subject: RE: tree mitigation appeal

Ok but please keep in mind I have to be in court on the 23rd of March regarding this

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: George Shaw <gshaw@cityoftybee.org>

Date: 2/4/22 11:52 AM (GMT-05:00)

To: Shirley Sessions <ssessions@cityoftybee.org>, Jan LeViner <jleviner@cityoftybee.org>, lulunjay <lulunjay@earthlink.net>

Cc: Shawn Gillen <sgillen@cityoftybee.org>, "Edward M. Hughes" <bhughes@ellispainter.com>

Subject: RE: tree mitigation appeal

This needs to go to PC first per our ordinance. We can get him on the March agenda.

From: Shirley Sessions <ssessions@cityoftybee.org>
Sent: Friday, February 4, 2022 11:50 AM
To: Jan LeViner <jleviner@cityoftybee.org>; lulunjay <lulunjay@earthlink.net>
Cc: Shawn Gillen <sgillen@cityoftybee.org>; George Shaw <gshaw@cityoftybee.org>; Edward M. Hughes <bhughes@ellispainter.com>
Subject: Re: tree mitigation appeal

This would be for the 24th meeting as the deadline has past for next week.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Jan LeViner <jleviner@cityoftybee.org>
Sent: Friday, February 4, 2022 10:45:04 AM
To: lulunjay <lulunjay@earthlink.net>
Cc: Shirley Sessions <ssessions@cityoftybee.org>
Subject: RE: tree mitigation appeal

What I would suggest is to complete the attach form and return to me. I will then add you to the agenda so you can present to Mayor and Council.

Thank you

Jan

Jan LeViner, MMC

Clerk of Council

City of Tybee Island

912.472.5080 (direct)

912.596.6401 (cell)

From: lulunjay <lulunjay@earthlink.net>
Sent: Friday, February 4, 2022 10:06 AM
To: Jan LeViner <jleviner@cityoftybee.org>
Subject: RE: tree mitigation appeal

He gave me your contact

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Jan LeViner <jleviner@cityoftybee.org>

Date: 2/4/22 10:05 AM (GMT-05:00)

To: lulunjay <lulunjay@earthlink.net>

Cc: George Shaw <gshaw@cityoftybee.org>

Subject: RE: tree mitigation appeal

Jay

I believe you would reach out to George Shaw. I have copied him on this email.

Jan LeViner, MMC
Clerk of Council
City of Tybee Island
912.472.5080 (direct)
912.596.6401 (cell)

-----Original Message-----

From: lulunjay <lulunjay@earthlink.net>

Sent: Friday, February 4, 2022 9:48 AM

To: Jan LeViner <jleviner@cityoftybee.org>

Subject: tree mitigation appeal

hello Jan.

Im not sure if you received my first email so im just writing again. i would like to appeal the tree mitigation case for my property on 2 gabby lane. please advise what i should do or the next steps in the process thank you jay Schmetz



STAFF REPORT

PLANNING COMMISSION MEETING: March 21, 2022

CITY COUNCIL MEETING: April 14, 2022

LOCATION: 2 Horsepen Point Dr.

PIN: 40015 02001

APPLICANT: Terry Timmons

OWNER: Terry Timmons

EXISTING USE: Single family home

PROPOSED USE: Same

ZONING: R-2

USE PERMITTED BY RIGHT: yes

COMMUNITY CHARACTER MAP: Marshfront neighborhood

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

PROPOSAL: The applicant is requesting to remove five palm tree from his lot. His application was denied.

ANALYSIS: The applicant submitted a permit to remove five palm trees from his lot. The City arborist went to the lot and found the trees healthy and not causing damage to any structure. Palms are on our significant tree list and may not be removed unless unhealthy or causing damage to a structure.

The Comprehensive Plan describes the Marshfront Neighborhood as follows:

Marshfront Neighborhood: 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.

<i>Comprehensive Plan – Community Character Area Marshfront Neighborhood</i>		<i>Meets Strategy Y/N or N/A</i>
<i>Recommended Development Strategies</i>		
1.	Permit only uses compatible with area character	N/A
2.	Permit only uses that will not adversely affect/impact the marsh environment	N/A
3.	Enforce marsh buffer ordinance within the area	N/A
4.	Prioritize tree preservation to protect the scenic and habitat value of the area	N
5.		
6.		
7.		

STAFF FINDING

The palms are healthy and not causing damage to any structure. Staff recommends denial.

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Appeal
- B. SAGIS map (1 page)

Tybee Island City Council

25 February 2022

This is a request to allow the removal of 5 native palm trees from the lot on 2 Horsepen Point. This lot is slightly over 1 acre in size and contains in excess of 40 other native palms of varying size.

The reason for removal is that these palms are growing into several live oaks that are significantly older, larger and more desirable than the palms. Competition of the 2 trees is not healthy for either + unsightly.

Therefore I request a variance from the Tybee Islands code to allow the removal of these palms.

Thank you for your consideration.

TERRY TIMMONS
resident at 2 Horsepen Pt
for over 16 years.



CITY OF TYBEE ISLAND
TREE REMOVAL PERMIT APPLICATION

R-2

Item #3.

Telephone: (912) 472-5033 · Fax: (912) 786-9539 Lschaaf@cityoftybee.org

Address of Property <u>2 Horsepen Pt. Tybee Island 31328</u>	
Owner's Name <u>TERRY TIMMONS</u>	Applicant's Name <u>same</u>
Owner's Address <u>above</u>	Applicant's Address <u>above</u>
Owner's Telephone <u>*404-713-0394*</u>	Applicant's Telephone <u>404/5 02001</u>

Please call

REQUIREMENTS FOR TREE REMOVAL

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

APPLICATION REQUIREMENTS

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

Explain the species of tree(s), the reason for removal, and the location of the tree(s) _____

Palms (weeds)

Gate Code #0913

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

Owner or Applicant Signature TERRY TIMMONS Date 2/17/22
 Owner or Applicant Printed Name TERRY TIMMONS called 2/24 left msg

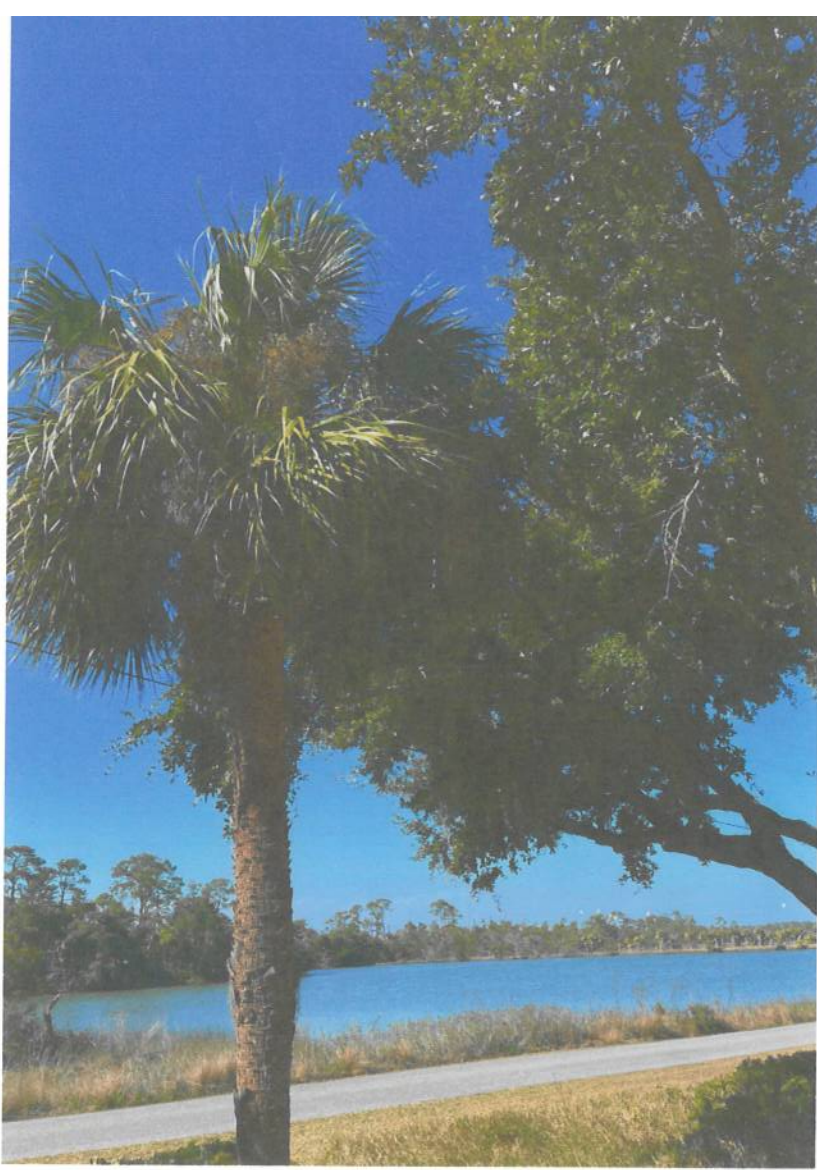
City Official <u>[Signature]</u>	Permit Fee _____	<input type="checkbox"/> APPROVED
Date <u>2/23/22</u>	Palms Up _____	<input type="checkbox"/> DENIED
	TOTAL _____	

STAFF NOTES

Mitigation Required?
 YES NO

Palms are healthy, causing no threat to ANY structure, and protected. These cannot be removed, as per ordinance.









Most Current Owner

Current Owner	Co-Owner	Care Of	Mailing Address
TIMMONS TERRY K & JULIA K			2 HORSE PEN PT TYBEE ISLAND GA 31328-9304

Digest Owner (January 1)

Owner	Co-Owner	Address 1	Address 2	City	State	Zip
TIMMONS TERRY K & JULIA K		2 HORSE PEN PT		TYBEE ISLAND GA		31328

Parcel

Status	ACTIVE
Parcel ID	40015 02001
Category Code	RES - Residential
Bill #	3030085
Address	2 HORSEPEN POINT DR
Unit # / Suite	
City	TYBEE ISLAND
Zip Code	31328-
Neighborhood	20221.00 - T221 TYBEE DUNN IS
Total Units	
Zoning	R-2
Class	R3 - Residential Lots
Appeal Status	

Legal Description

Legal Description	LOT 1 HORSE PEN POINT SMB 2S 82
Deed Book	267Z
Deed Page	0193

Permits

Permit #	Permit Date	Status	Type	Amount
190251	05/13/2019	Complete	GM - GENERAL MAINT.	\$3,500.00
16-0665-3	10/31/2016	Complete	GM - GENERAL MAINT.	\$7,150.00
05-0373-1	11/27/2006	Complete	CO - CERT OF OCCUP	\$450,000.00
04-312-2	07/16/2004	Complete	-	\$1,000.00

Inspection

Inspection Date	Reviewer ID
12/18/2019	RKRYZAK
01/20/2017	MWTHOMAS

10/23/2013

MWTHOMAS

04/14/2011

MWTHOMAS

01/24/2007

REBOWEN

Item #3.

Appraised Values

Tax Year	Land	Building	Appraised Total	Reason
2021	200,000	451,700	651,700	
2020	200,000	411,700	611,700	
2019	200,000	411,700	611,700	
2018	200,000	395,600	595,600	
2017	200,000	398,200	598,200	
2016	200,000	392,500	592,500	
2015	200,000	397,100	597,100	
2014	200,000	400,400	600,400	
2013	322,000	285,000	607,000	
2012	322,000	285,000	607,000	

Sales

Sale Date	Sale Price	Sale Validity	Instrument	Book - Page	Grantor	Grantee
03/27/2004	370,000	Q	WD	267Z - 0193	COOPER RACHEL C	TIMMONS TERRY K & JULIA K
05/14/1993	37,000	Q	WD	160A - 0232	HORESPEN POINT INC	COOPER RACHEL C

Land

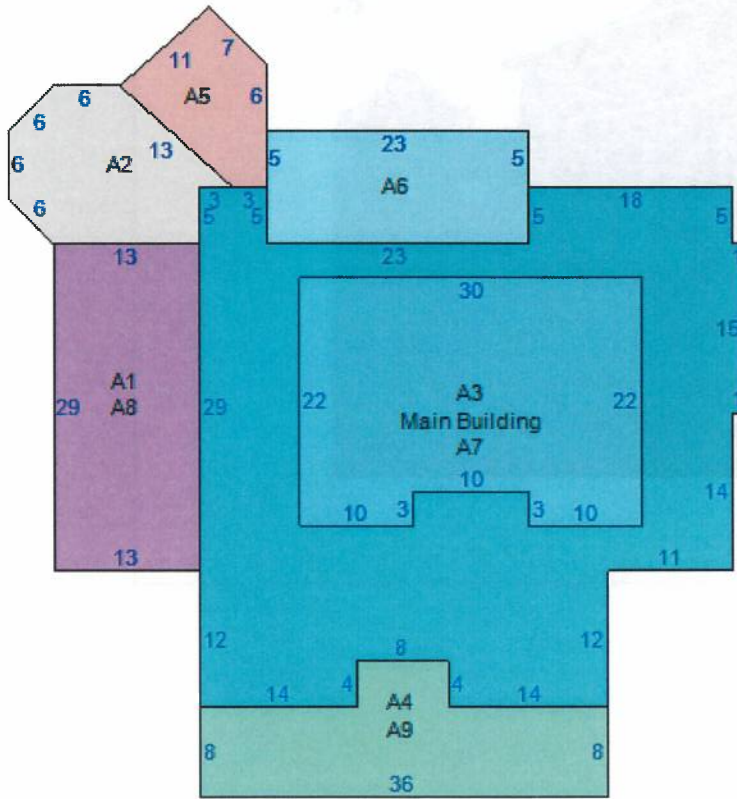
Line Number	1
Land Type	U - UNIT
Land Code	119 - MARSH VIEW
Square Feet	0
Acres	0
Influence Factor 1	
Influence Reason 1	
Influence Factor 2	
Influence Reason 2	

Residential Building

Card #	1
Actual Year Built	2006
Effective Year Built	
Type	1 - Single Family Residence
Style/Stories	2 - TWO STORY
Percent Complete	100
Quality	500
Condition	AV - AVERAGE
Living Area	3,109

Basement Area 0
 Finished Basement Area No
 Bedrooms 3
 Full / Half Baths 3 / 0

Item #3.



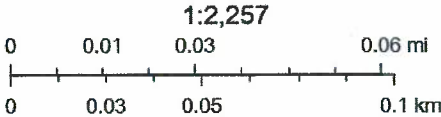
Item	Area
Main Building	1898
A1 - 100:100- LIVING SPACE	377
A2 - 100:100- LIVING SPACE	204
A3 - 100:100- LIVING SPACE	630
A4 - 904:904-Slab Porch (SF) with Roof	320
A5 - 903:903-Wood Deck (SF)	123
A6 - 904/904:904-Slab Porch (SF) with Roof/904-Slab Porch (SF) with Roof	230
A7 - 721:721-Carport, Flat Roof (SF)	1898
A8 - 721:721-Carport, Flat Roof (SF)	377
A9 - 721:721-Carport, Flat Roof (SF)	320





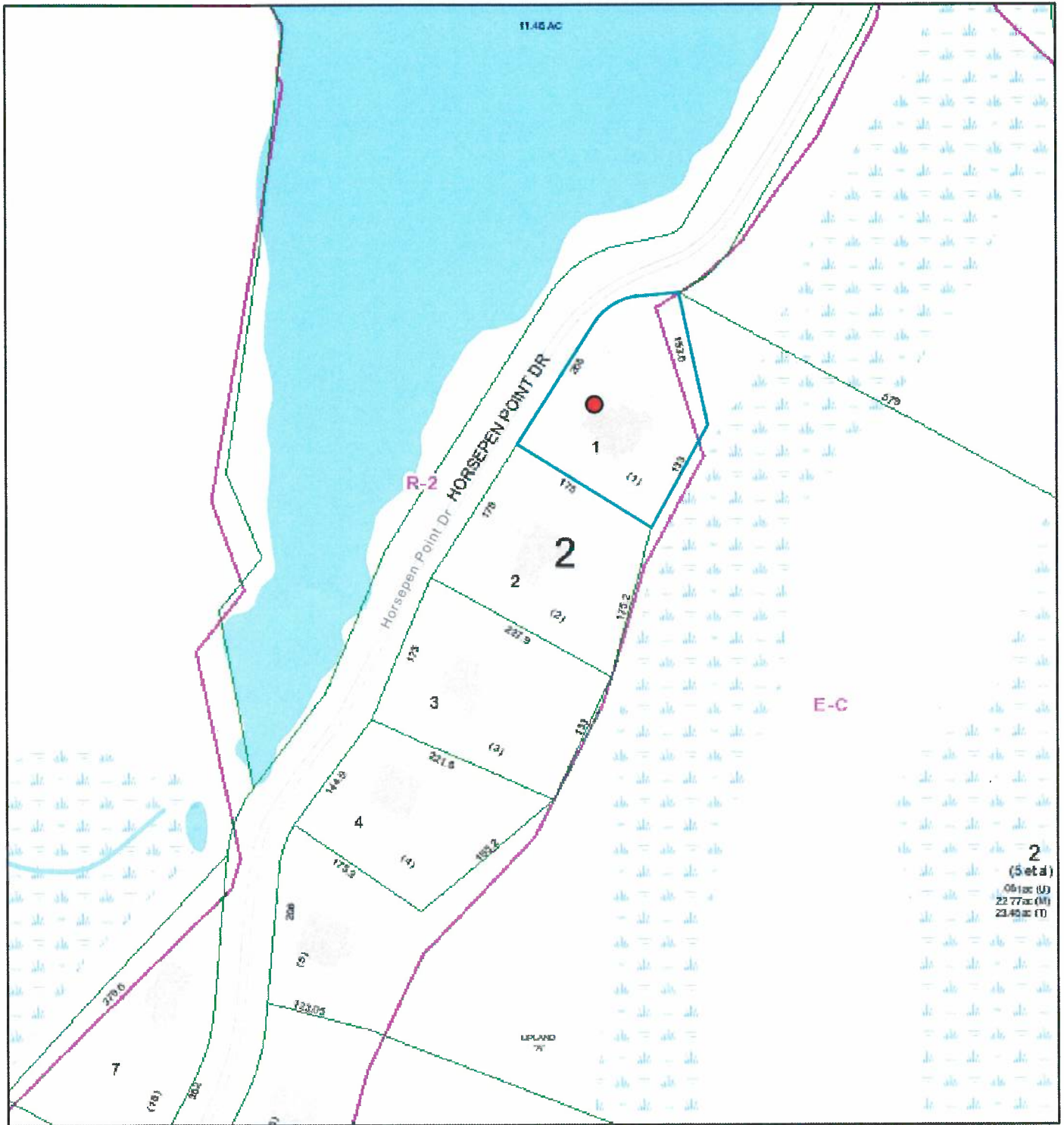
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- Zoning
- Property Boundaries (Parcels)



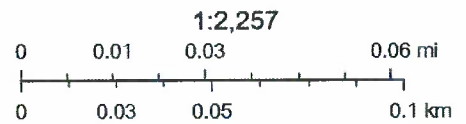
SAGIS

SAGIS Map Viewer



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- Zoning
- Property Boundaries (Parcels)



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STAFF REPORT

PLANNING COMMISSION MEETING: March 21, 2022

CITY COUNCIL MEETING: April 14, 2022

LOCATION: 4th St. between Lovell and 2nd Ave.

PIN:

APPLICANT: City of Tybee Island

OWNER: City of Tybee Island

EXISTING USE: Public Right of Way

PROPOSED USE: Modular Office Buildings

ZONING: R-2

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Inland Cottage Neighborhood

APPLICATION: Site plan for temporary City Hall modular buildings.

PROPOSAL: The applicant is requesting to place two modular buildings with associated decks and ramps in the right of way for 4th St. between Lovell and 2nd Ave. for use as temporary office space while City Hall undergoes renovation.

ANALYSIS: The proposed office space will create a temporary City Hall while renovations are ongoing. The modular buildings are expected to be removed in approximately two years. This location will not block access to any properties but may cause some traffic confusion until folks adjust to the placement. Water and sewer is available in the area. Stormwater will be routed toward Memorial Park. Parking will be in spots on the right of way along 4th Ave.

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.

The proposed office building meets the applicable Recommended Development Strategies outlined in the Comprehensive Plan, Section 1.2.6, Inland Cottage Neighborhood.

<i>Comprehensive Plan – Community Character Area Inland Cottage Neighborhood – Section 1.2.6</i>		<i>Meets Strategy Y/N or N/A</i>
<i>Recommended Development Strategies</i>		
1.	New development, redevelopment and restoration should be consistent with existing character of the area in terms of mass, scale, use and density.	Y
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.	Historic structures should be restored and/or preserved whenever possible.	Y
5.	The City should provide appropriate incentives for historic restoration projects.	N/A
6.	Implement streetscape improvement to improve the pedestrian/bicycle environment and	N/A

encourage safety and mobility.	Item #4.
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STAFF FINDING

Staff recognizes the need for the renovation of City Hall. There will be no negative effects of stormwater runoff. Staff recommends approval for these temporary modular buildings.

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Site Plan application
- B. Modular drawings
- C. Site plan
- D. SAGIS map



CITY OF TYBEE ISLAND
SITE PLAN APPROVAL WITH VARIANCE APPLICATION

Site Plan Fee
Commercial \$500
Residential \$200

Variance Fee
Commercial \$500
Residential \$200

Applicant's Name CITY OF TYBEE ISLAND

Address and location of subject property 4th St. right of way between Lovell and 2nd Ave.

PIN N/A Applicant's Telephone Number 912-472-5031

Applicant's Mailing Address P.O. Box 2749 Tybee Island, GA 31328

Brief description of the land development activity and use of the land thereafter to take place on the property:
Temporary modular buildings for staff use while City Hall is being renovated

Explain the requested variance

Explain the hardship

Property Owner's Name COTI Telephone Number 912-786-5737

Property Owner's Address 403 Butler Ave.

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

If Applicant is the Property Owner, Proof of Ownership is attached: N/A 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 Road

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

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

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

Signature of Applicant [Signature] Date 3-10-2022

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

Fee Amount \$ [] Check Number [] Date []

City Official []

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

_____ 3 copies, no smaller than 24 x 36, of the engineered drainage and infrastructure plan.

N/A 1 copy, no smaller than 11 x 17, of the existing tree survey and the tree removal and landscaping plan.

Disclosure of Campaign Contributions

5-040 (D)(1) Site plan and/or architectural rendering of the proposed development depicting the location of lot restrictions. *1 copy, no smaller than 11 x 17, of the proposed site plan and architectural renderings.*

5-040 (D)(2) 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 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;

5-090 (A) (2) That 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.

NOTE: Provide attachments illustrating conditions on surrounding properties and on the subject property, indicating uniqueness, etc.

5-090 (B) If this variance application is for a Height Variance, No part of any structure shall project beyond 35-feet above the average finished grade of a property except: chimneys, flues, stacks, heating units, ventilation ducts, air conditioning units, gas holders, elevators, and similar appurtenances needed to operate and maintain the building on which they are located.

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.

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

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

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

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 _____

Date _____

Sec. 5-080. - Site plan approval.

The site plan approval process is intended to provide the general public, planning commission, and may 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)

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 3-020.

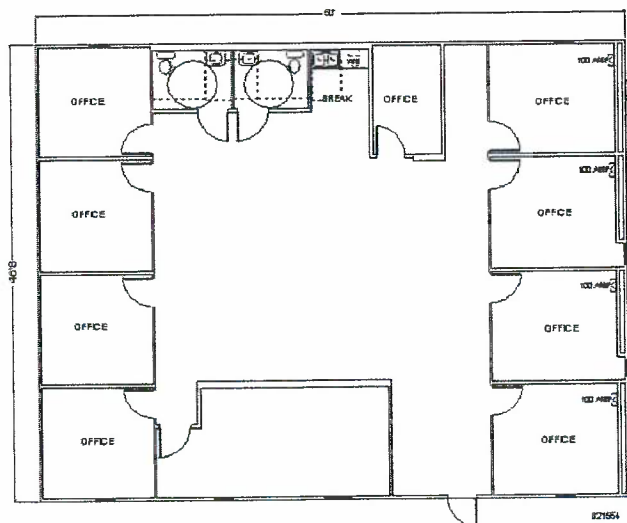
(F) ***Compliance with ordinances.*** Notwithstanding any other provision of this Code of Ordinances, no application for a variance may be accepted nor may any variance be granted with respect to any property that is then not in compliance with the requirements of ordinances for the condition on which 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.

Item #4.

(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.)



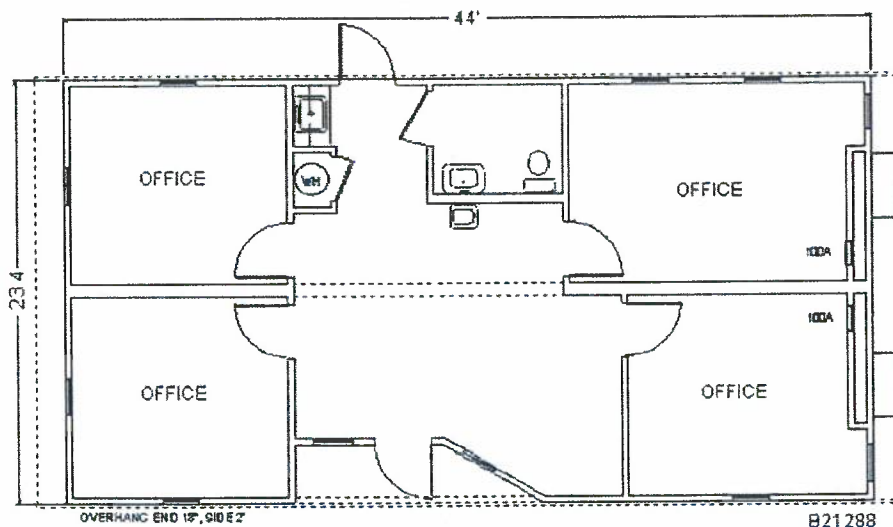
Building Size: 4860	Roof Load: 30 (psf)	HVAC Quantity: 4
Total Square Feet: 2,800	Floor Load: 50 (psf)	Electrical Phase: 1 phase
States Coded: AL, AR, LA, MS, TX	Wind Load: 140 (mph)	Lighting:
Exterior Finish: Steel .29	Roof Material: 45 mil EPDM	H/C Bath: Yes
Exterior Door/Jamb: Steel / Steel	Frame: Outrigger - Steel	Flooring: VCT



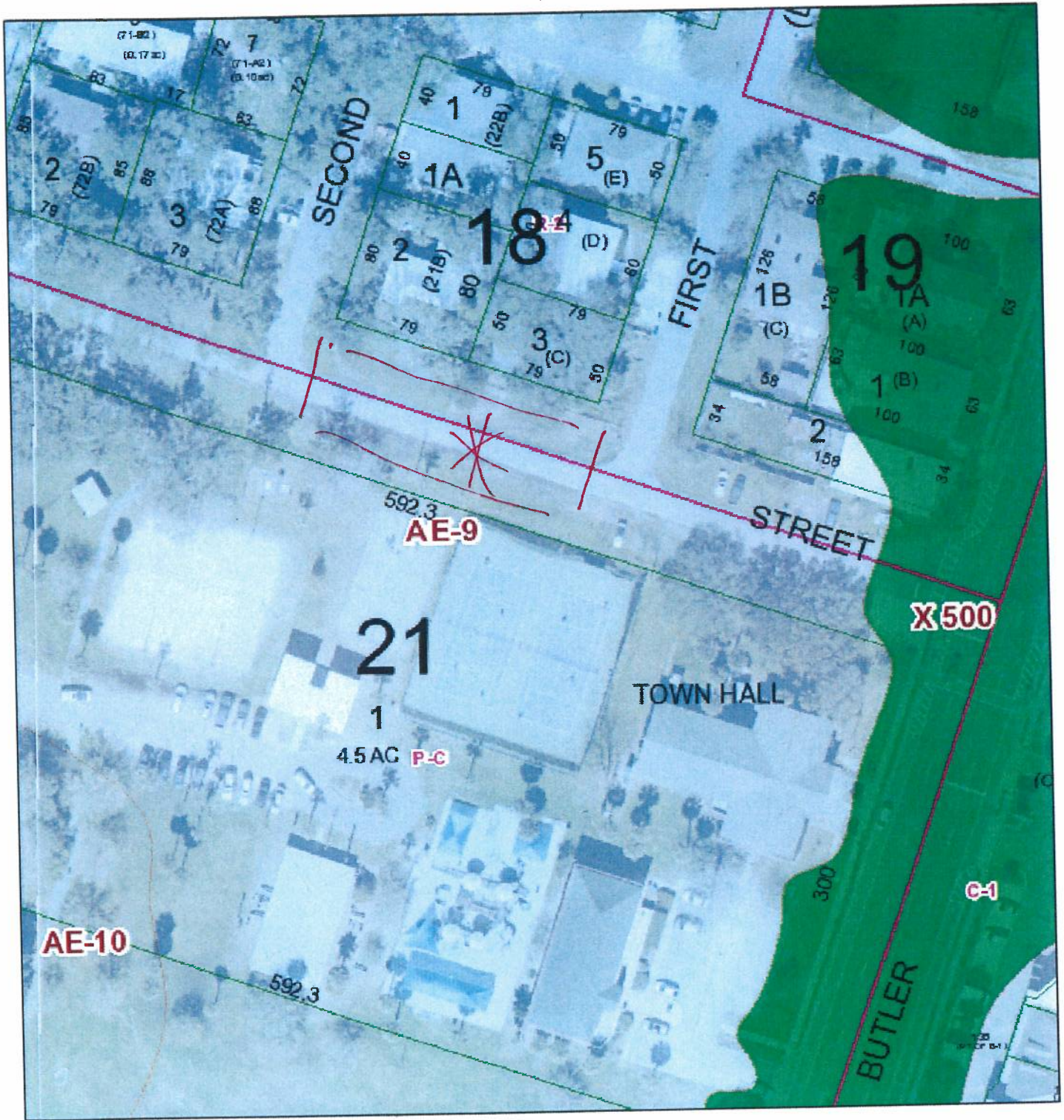
For more information contact **Bill Simpson – Area Sales Manager – Georgia**
 Email at bsimpson@boxxmodular.com website www.boxxmodular.com
 Mobile: 770-508-3930 – Atlanta Office: 770-225-9701



Building Size: 2444	Roof Load: 20 (psf)	HVAC Quantity: 2
Total Square Feet: 1,026	Floor Load: 50 (psf)	Electrical Phase: 1 phase
States Coded: AL, FL, GA, NC, SC, VA	Wind Load: 140 (mph)	Lighting: Surface Mounted
Exterior Finish: Hardi Panel	Roof Material: 45 mil EPDM	H/C Bath: Yes
Exterior Door/Jamb: Steel / Wood	Frame: Outrigger - Steel	Flooring: Carpet



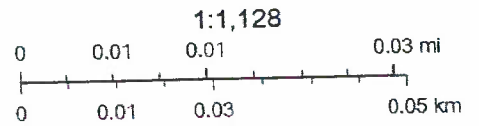
For more information contact Bill Simpson – Area Sales Manager – Georgia
 Email at bsimpson@boxxmodular.com website www.boxxmodular.com
 Mobile: 770-508-3930 – Atlanta Office: 770-225-9701



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Effective Flood Zones (2018)

- AE - Inside the 100 year Flood Zone
- A - Inside the 100 year Flood Zone
- AE Floodway - Inside a Regulatory Floodway
- VE - Inside the 100 year Flood Zone w/ Velocity Hazard
- X_500 - Inside the 500 year Flood Zone
- X - Outside the 500 year Flood Zone



SAGIS

MAYOR
Shirley Sessions

CITY COUNCIL
Barry Brown, Mayor Pro Tem
Jay Burke
Nancy DeVetter
Michael "Spec" Hosti
Monty Parks
Brian West



CITY OF TYBEE ISLAND

CITY MANAGER
Dr. Shawn Gillen

Item #4.

CLERK OF COUNCIL
Jan LeViner

CITY ATTORNEY
Edward M. Hughes

To: George Shaw

Date: February 25, 2022

RE: Drainage Plan for Proposed Modular Building 4th Street Right of Way

The City of Tybee Island is proposing to install two modular buildings in the Right of Way of 4th Street between Lovell Avenue and 2nd Avenue. One building is 2,800 square feet and the other building is 1,026 square feet. This proposed building, decking, and parking area will create approximately 10,000 square feet of additional impervious surface, with about 1/3 of the total covering the terrace area of the street.

Since these buildings will be elevated, the pervious surface will remain under the footprint of the building. The additional surface drainage created by the modular buildings will drain in a westerly direction and remain within the city owned right of way of 4th Street.

Since the additional drainage will be contained on the City owned right of way there will be no adverse effects to neighboring property owners, therefore an official drainage plan should not be required for this project.

I have attached a site plan showing the proposed first floor elevation and the proposed drainage created by the proposed building.

If you have any questions or concerns feel free to contact me at (912) 472-5041 or by email at peter.gulbronson@cityoftybee.org

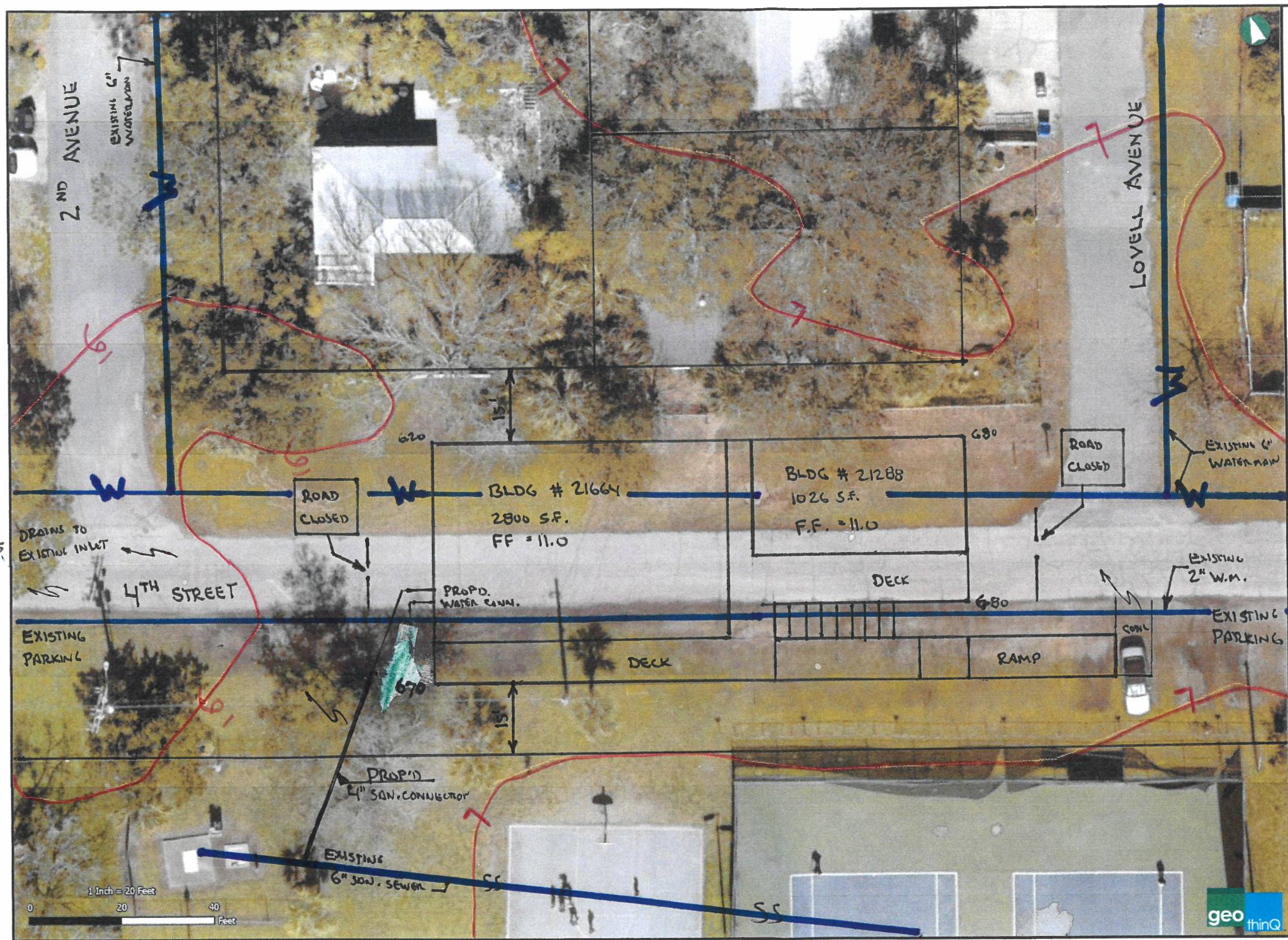
Peter Gulbronson, P.E.
City Engineer & Director of Infrastructure



PROPOSED CITY HALL MODULAR BUILDINGS

ON 4TH STREET
02/11/2022

Parcels



1 Inch = 20 Feet
0 20 40 Feet



This map was created using geothinq | www.geothinq.com | Mapping Smart Land Decisions