

**MAYOR**  
Shirley Sessions

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



**CITY MANAGER**  
Dr. Shawn Gillen

**CLERK OF COUNCIL**  
Jan LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **AGENDA**

### **REGULAR MEETING OF TYBEE ISLAND CITY COUNCIL**

### **March 09, 2023 at 6:30 PM**

*Please silence all cell phones during Council Meetings*

#### Opening Ceremonies

Call to Order  
Invocation  
Pledge of Allegiance

#### Consideration of Items for Consent Agenda

#### Announcements

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

1. Minutes: City Council Meeting February 23, 2023

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

2. Pat Leiby: Tybee MLK Human Rights Organization

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

#### Consideration of Approval of Consent Agenda

#### Public Hearings

3. Map and Text Amendment to change zoning from R-1 to R-T. Fort Screven Villas Condo Association  
4. Special Review: 1517 and 1517B Chatham Avenue. Sarah ad Ben Beason

#### Consideration of Ordinances, Resolutions

5. Resolution: 2023-04 Opposition to HB 517

**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)**



Council, Officials and City Attorney Considerations and Comments

6. Brian West: Modify the existing Tree Ordinance

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."*

**File Attachments for Item:**

1. Minutes: City Council Meeting February 23, 2023

## City Council Minutes February 23, 2023

Mayor Sessions called the meeting to order at 6:30PM, February 23, 2023. Those in attendance were Brian West, Monty Parks, Barry Brown, Jay Burke and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Michelle Owens, Assistant City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, City Attorney; George Shaw, Director, Planning and Zoning; and Jan LeViner, Clerk of Council.

### **Opening Ceremonies**

Call to Order

Posting of the Colors and Pledge of Allegiance, American Legion Post 154

Invocation: Jan LeViner, City Clerk

Mayor Sessions added the following to the Consent Agenda:

- Minutes: City Council Meeting January 12, 2023
- Minutes: City Council Meeting January 26, 2023
- Attachments to the Minutes

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

**Peyton Jones, Tybee Island Youth Council Liaison**, approached Mayor and Council to give a report on the Youth Council's recent trip to Savannah/Chatham Day in Atlanta. Ms. Jones thanked Mayor and Council for opportunity to travel and experience the event. Mayor Sessions thanked Ms. Jones.

**Jan LeViner and Haley Hill** approached Mayor and Council to give a brief report on the trip to **Savannah Chatham Day**. Mayor Sessions thanked both for their work with the Youth Council.

**Alan Robertson** approached Mayor and Council to introduce **Harold Marlow, President, Warwick Group, Washington, DC** and **Dan Ginolfi, Sr. Public Policy Advisor, Warwick Group, Washington, DC**. Mr. Marlow gave a brief report on the following:

- Recent successes on behalf of the City
- Federal Funding Goals for this year
- Corps of Engineers Issues for 2023 and beyond

**Mr. Ginolfi** reported on recent successes and future funding for re-nourishments. Mayor Sessions thanked both men for their hard work and dedication to the City.

**Spec Hosti** made a motion to approve the consent agenda. **Monty Parks** seconded. Vote was unanimous to approve, 5-0.

**Nancy DeVetter** joined the meeting.

## **Public Hearings**

**Minor Subdivision plat approval: requesting to create two lots that are not rectangles-712 2nd Ave.-Zone R-2-40005 18014-Gail Lamb. George Shaw** approached Mayor and Council. Mr. Shaw stated the petitioner bought a residence at 712 2<sup>nd</sup> Avenue and would like to make two lots without disturbing the existing home and without asking for a variance. This would be a creation of an irregular lot which meets all the City's requirements as to size and width. Planning Commission recommended approval unanimously and Staff made no recommendation as it meets all requirements. **Gail Lamb** approached Mayor and Council. Ms. Lamb gave a brief description of the lot and stated the hardship if not approved would be to take off 4' of the residence. She continued, the shed has been removed from the property and a new one has been put in. She is asking for approval. **Keith Gay** approached to speak in favor of this request. **Barry Brown** made a motion to approve. **Nancy DeVetter** seconded. Vote was unanimous to approve, 6-0.

**Tree Appeal: 8 Waterside Walk-appeal of actions Sec. 7-100 regarding denial of tree permit-William Gordon. George Shaw** approached Mayor and Council. Mr. Shaw stated the petitioner has a house on Waterside Walk and would like to add a pool to the property. There is a significant tree, Red Cedar, where he would like to put the pool and the Ordinance states you may not cut down a significant tree. Staff determined there is an economic use of the property and the pool would enhance but is not necessary for the economic use of the property. Staff denied the permit for the tree removal and the petitioner is appealing the decision. Staff is denying the appeal and Planning Commission recommended denial 2-1. William Gordon joined the meeting via ZOOM. Mr. Gordon gave a brief history of the property to include hiring a contractor to design and build the pool. He is also asking for mitigation with removing the tree by replacing with another tree. Mr. Gordon asked for approval with this appeal. Ms. DeVetter asked Mr. Gordon if this is currently an STR. Mr. Gordon confirmed. **Spec Hosti** made a motion to approve. **Brian West** seconded. Voting in favor were Brian West, Spec Hosti and Jay Burke. Those voting against were Nancy DeVetter, Monty Parks and Barry Brown. Shirley Sessions voting to deny. Vote to deny, 4-3.

**Agenda Request: Private Parking Lot Renewals: All requirements met. Dr. Gillen** explained the request. **Russell Bridges and Marianne Bramble** approached Mayor and Council. Mr. Bridges thanked Mayor and Council for the annual approval of the parking lots. He then asked for consideration for additional days as in the past approval has been for 31 days beginning with Memorial Day and ending with Labor Day. He is now asking for the beginning date of March through Labor Day. Ms. Bramble thanked Mayor and Council. **Monty Parks** made a motion to approve as presented. **Spec Hosti** seconded. Voting in favor were Brian West, Monty Parks, Jay Burke and Spec Hosti. Voting to deny were Nancy DeVetter and Barry Brown. Vote to approve, 4-2.

**Agenda Request: Private Parking Lot Request-Palmer Prescott Parking: (Formerly lot licensed under Joyce Prescott). Dr. Gillen** stated what is before

them is a new application for a lot that was used prior to last year was a private parking lot. Mayor Sessions and Tracy O'Connell gave a brief history of the application process for the Prescott Parking Lot in 2022. Ms. Prescott was granted a license but later revoked. The recommendation from Council in May of 2022 was to allow Ms. Prescott to reapply in 2023. The application was submitted under the name of Palmer Prescott but also showing Joyce Prescott as one of the owners. Mr. Parks asked if the permit is issued to the individual or to the property. Ms. O'Connell stated to the owner of the property. Palmer Prescott approached Mayor and Council. Mr. Prescott stated his mother is not capable of operating the parking lot, as she is ill. Ms. DeVetter asked Ms. O'Connell for clarification. Ms. O'Connell stated there is concern, as Ms. Prescott should be applying and not Palmer Prescott. Mr. Parks stated his objection when this was submitted last year, the application was not complete and this year it is complete. He would also like to see documentation that Palmer Prescott is authorized to act on behalf of his mother, Joyce Prescott. Mr. Prescott confirmed he has Power of Attorney for his mother and was not asked to submit when his submitted his request. He also confirmed that if and when Ms. Prescott expires, they will no longer operate the private parking lot. Dr. West confirmed name on the application is indeed for Joyce Prescott and not Palmer Prescott. Mr. Prescott confirmed. Mr. Parks recommended Mr. Prescott bring in document and give to Ms. Shaver. Dr. Gillen asked for clarification of Mr. Parks recommendation. Ms. Bramble approached Mayor and Council to confirm Mr. Prescott is the person that has been operating the private parking lot over the recent years. She also clarified that application for private parking lots need to be submitted by December 15<sup>th</sup> and not December 30<sup>th</sup> as all other businesses on the Island. **Monty Parks** made a motion to approve with the condition that adequate documentation is submitted to show Mayor and Council are approving a private parking lot is for Joyce Prescott. **Spec Hosti** seconded. Voting in favor were Brian West, Monty Parks, Jay Burke and Spec Hosti. Voting against were Nancy DeVetter and Barry Brown. Vote to approve, 4-2.

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

**Agenda Request: Fin's Corner Pizza: Alcohol and Entertainment License, Beer & Wine-Sunday Sales. (Formerly Tybee Island Pizza & Ice Cream).** **Monty Parks** stated he has questions with this application as well as others. Mr. Parks expressed his concerns with possible noise from the business. Ms. DeVetter recommended the application be changed to ask for more specificity where or not there will be live music, inside or outside, as the application has no information at all for plans for entertainment. She then requested that the forms ask for specificity related to entertainment licenses. This would include days for entertainment, hours, and amplified or not. Mayor Sessions added this project to Dr. Gillen's Action Item List and further asked if he would send a draft to Mayor and Council for any other recommendations. Mr. Hughes stated in the past conditions have been placed on the businesses when approved. Mayor pro tem Brown then suggested the application for private parking lots need to be updated as well. Mr. Hughes stated it should not be a business license but should be a permit for operation to include clarification that it is for only one generation. He continued, Mayor and Council have the ability to impose conditions on the entertainment tonight. **Jay Burke** made a

motion to approve the Alcohol License, Beer and Wine and Sunday Sales and hold on Entertainment License until more information is received. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

**Agenda Request: Frozen Daiquiri LLC dba The Daiquiri Bar: Entertainment & Alcohol License Liquor, Beer, Wine-Sunday Sales for consumption on premises.**

**Jay Burke** questioned outside entertainment and Sunday sales. He continued, as there is no kitchen they cannot have Sunday sales. Mr. Hughes explained the ordinance as the business needs to have 50% of sales to qualify for Sunday Sales License. Mayor Sessions referred to the Breakfast Club as to their zoning. Mr. Hughes responded C-1. Mr. Burke asked Dr. Gillen if this is considered one building or two. Dr. Gillen stated two individual buildings, Breakfast Club and The Daiquiri Bar. Dr. West recommended the same motion be made in regards to the Entertainment License as made previously made for Fin's. Mayor Session confirmed. Mr. Hughes read from the Georgia Code where the business is required to have a full operational kitchen and have 50% of food sales to qualify for Sunday Sales License. Chief Kendrick approached Mayor and Council to speak to a preliminary fire inspection in regards to the Breakfast Club. He continued, they are going to install a small chef kitchen. Another issue is to install a separate water meter for the apartment to the rear of the building. **Spec Hosti** made a motion to approve as presented. Motion died for lack of a second. **Barry Brown** made a motion to table to a later date in order to get more information. **Monty Parks** seconded. Voting in favor were Brian West, Monty Parks, Nancy DeVetter, Barry Brown and Jay Burke. Voting against was Spec Hosti. Vote to approve, 5-1. **Discussion: Mayor pro tem Brown** stated that should not be an additional fee for the application for the petitioner to come back before Mayor and Council.

**Agenda Request: King Neptune's Inc: Entertainment & Alcohol License Liquor, Beer, Wine, Sunday Sales-For consumption on Premises Only. Monty Parks**

when this business was formerly Benny's there were conditions on the entertainment, as the back door needs to be shut. He recommended that condition be carried over to the new owners with no outside entertainment; no entertainment on the porch; back door needs to be closed during entertainment; and windows closed when there is entertainment. Mr. Parks stated if he were to make a motion, it would include no entertainment on the back porch, back door needs to be closed, and all entertainment must be inside the building. **Stu Putman** approached Mayor and Council. Mr. Putman stated it is a misprinted as it is their intent not to have Sunday sales, as they will not be open on Sunday's. There is a strong local following and would like to keep in the same tradition. Ms. DeVetter referred to a statement on the application where he indicated he has had a alcohol license suspended. Mr. Putman explained that at his business in Savannah there was a tragic incident. During the investigation, his business was closed but reopened within thirty days. Mr. Putman again stated, they will not be open on Sunday for business. Ms. DeVetter asked Mr. Putman his intentions for entertainment. Mr. Putman stated the building is a 4,500 sq ft building with multi-use building. The entertainment will be in the center of the building so there will not be an issue with noise.

**Monty Parks** made a motion to approve without Sunday Sales and to have inside entertainment only. **Brian West** seconded. Vote was unanimous to approve, 6-0.

**Consideration of Ordinances, Resolutions**

**Second Reading, 2023-04. Sec 7-050, Tree Removal Requirements.** **Monty Parks** made a motion to approve. **Spec Hosti** seconded. Vote was unanimous to approve, 6-0.

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

**Bubba Hughes: 708 Butler Avenue, Update.** **Mr. Hughes** gave a brief update on 708 Butler Avenue. The approvals recently occurred regarding the Infrastructure Engineering and the permits will be issued by George Shaw. The developer has signed the Agreement, as has the City. There are documents to be recorded on Friday, February 24<sup>th</sup>. The permit for the tree trimming and removal as indicated and the work is scheduled to happen on March 2, 2023 at 9:00AM. The City Arborist, Brent Levy, will be on site as well as Zachary Bennett. The final plat approval will come back before Mayor and Council once the infrastructure is in place. There is no action required by Mayor and Council as long as they agree.

**Shawn Gillen** gave an update on the **Action Item List**.

**Monty Parks** made a motion to adjourn to executive session to discuss litigation and real estate. **Brian West** seconded. Vote was unanimous to approve, 6-0.

**Monty Parks** made a motion to return to regular session. **Spec Hosti** seconded. Vote was unanimous to approve, 6-0.

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

Meeting adjourned at 9:30PM

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Janet LeViner, MMC  
Clerk of Council



**File Attachments for Item:**

3. Map and Text Amendment to change zoning from R-1 to R-T. Fort Screven Villas Condo Association



# AGENDA ITEM

CITY COUNCIL MEETING: March 9

A nine unit condominium is on a parcel zoned R-1 which does not allow for multifamily dwellings. Applicant requests rezoning to make the structure conforming.

Amend zoning map to remove this non-conformity

## ATTACHMENTS

[1-MAP AMEND-7 OCEANVW CT.pdf](#)



# STAFF REPORT

PLANNING COMMISSION MEETING: February 13, 2023  
 CITY COUNCIL MEETING: March 9, 2023

LOCATION: 7 Oceanview Ct. PIN: 40003 10006  
 APPLICANT: Fort Screven Villas Condo Assoc., Inc. OWNER: Fort Screven Villas Condo Assoc., Inc.  
 EXISTING USE: Multifamily residential PROPOSED USE: Multifamily residential  
 ZONING: R-1 USE PERMITTED BY RIGHT: No

APPLICATION: Map and text amendment to change zoning from R-1 to R-T.

PROPOSAL: The applicant requests the rezoning to match what they believe is the true nature of the property use.

ANALYSIS: This area has multiple zoning districts. Within a short distance one can find R-1, R-1B, R-T and R-2 zoning districts. The area is mostly single family but there are also multifamily condos, the Post Theater, the nursing home and some duplexes.

COMMUNITY CHARACTER MAP: Ft. Screven Historic District

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

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

## STAFF FINDING

As this is an existing non conforming nine unit multifamily building in the R-1 district staff believes rezoning is appropriate. Staff recommends approval.

*This Staff Report was prepared by George Shaw.*

ATTACHMENTS

- A. Map and text amendment application
- B. Sagis map



CITY OF TYBEE ISLAND  
LAND DEVELOPMENT CODE  
MAP AMENDMENT APPLICATION

Fee \$500

Applicant's Name Fort Screven Villas Condominium Association, Inc.

Applicant's Telephone Number 912-233-2251

Applicant's Mailing Address 14 East State Street, Savannah, Georgia 30401

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

*As Attorney for Applicant* January 5, 2023  
 Signature of Applicant Date

NOTE: Other specific data is required for each proposed Map Amendment.

7 Ocean View Ct.

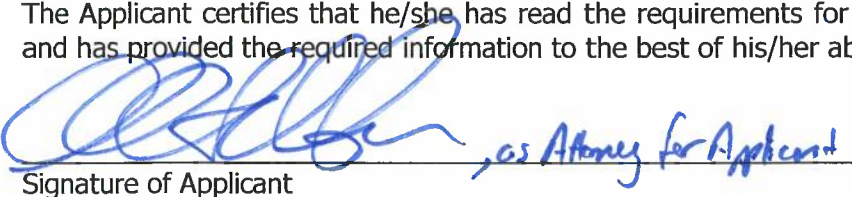
City Official  Date 1/30/2023

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

Indicate in the spaces provided whether or not the required information is provided.

<u>YES or NO</u>	<u>REFERENCE</u>	<u>DESCRIPTION</u>
<u>Y</u>	5-020 (D)	An amendment to the zoning map is considered to be an amendment of the Land Development Code. Such action requires a hearing by the Planning Commission and approval by the Mayor and Council at a scheduled public hearing.
<u>Y</u>	5-040 (E) (2) 5-040 (E) (2) (a)	An application for a map amendment shall include the following information: A map or plat of the land in question, and a description by metes and bounds, bearings, and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of Chatham County then the lot, block, and subdivision designations with appropriate plat reference; and,
<u>Y</u>	5-040 (E) (2) (b) 5-110	The area of the land proposed to be reclassified stated in square feet if less than one acre, and in acres if greater than one acre. Section 5-110, Standards for Land Development Code or Zoning Map Amendment Approval, identifies standards and other factors to be considered by the Mayor and Council in making any zoning decision. The Applicant should provide written data addressing each of the below listed standards and factors to assure consideration of applicable information.
<u>Y</u>	5-110 (A)	The existing land use pattern;
<u>Y</u>	5-110 (B)	The possible creation of an isolated district unrelated to adjacent and nearby districts;
<u>Y</u>	5-110 (C)	The existing population density pattern and the possible increase or overtaxing of the load on public facilities;
<u>Y</u>	5-110 (D)	Whether changed or changing conditions make the passage of the proposed amendment reasonable;
<u>Y</u>	5-110 (E)	Whether the proposed change will adversely influence existing conditions in the neighborhood or the city at large;
<u>Y</u>	5-110 (F)	Potential impact on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity;
<u>Y</u>	5-110 (G)	The reasonableness of the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities when considering the proposed changes;
<u>Y</u>	5-110 (H)	Whether the proposed change will be detrimental to the value or improvement or development of adjacent or nearby property in accordance with existing requirements;
<u>Y</u>	5-110 (I)	Whether the proposed change is out of scale with the needs of the neighborhood or entire city;
<u>Y</u>	5-110 (J)	Whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public; and,
<u>Y</u>	5-110 (K)	The extent to which the zoning decision is consistent with the current city master plan or other local planning efforts, if any, of the city.

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

 *as Attorney for Applicant*  
 Signature of Applicant \_\_\_\_\_ Date January 5, 2023

5-110(A) – Property is currently used for a three story, 9 unit condominium with parking on the lower level.

5-110(B) – The adjacent parcel of land is zoned R-T which is what applicant requests.

5-110(C) – The land is currently used as a three story, 9 unit condominium with parking on the lower level. The zoning request is submitted to conform zoning to the current use.

5-110(D) – A three story, 9 unit condominium with parking on the lower level currently exists on the property. Applicant merely requests an amendment to the Land Development Code to conform zoning to the existing use.

5-110(E) – There is no proposed change in use as a three story, 9 unit condominium with parking on the lower level already exists upon the property.

5-110(F) – There should be no adverse impact to the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality and water quality and quantity, as a three story, 9 unit condominium with parking on the lower level is already located upon the land.

5-110(G) – There should be no additional cost to the public for providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities as a three story, 9 unit condominium with parking on the lower level already exists upon the property.

5-110(H) – There is no proposed change in use of the property as a three story, 9 unit condominium with parking on the lower level already exists upon the property.

5-110(I) – There is no proposed change in use of the property as a three story, 9 unit condominium with parking on the lower level already exists upon the property.

5-110(J) – There is no proposed change in use of the property thus no grant of special privilege as a three story, 9 unit condominium with parking on the lower level already exists upon the property.

5-110(k) – There is no proposed change in use of the property as a three story, 9 unit condominium with parking on the lower level already exists upon the property.

5-202(D) – Yes, action requires a hearing by the Planning Commission and approval by the mayor and Council at a scheduled public hearing.

Applicant requests map amendment to conform zoning to existing use of property (amendment from R-1 to R-T).



5-040(E)(2)(a) – a plat, including metes and bounds, is attached for your convenience.

5-040(E)(2)(b) - ~0.35 acres, more or less, containing ~15,098 square feet

January 6, 2023

via Federal Express  
City of Tybee Island  
Attn: George B. Shaw  
403 Butler Avenue  
Tybee Island, GA 31328

RE: Ft. Screven Villas Condominium Association, Inc.  
Map Amendment Application  
WSWGS File No. 17656.0001

Dear Mr. Shaw:

Enclosed please Application for Map Amendment with relative documents included and our firm draft in the amount of \$500.00 for the application fee.

Please contact our office if you need anything further to process this request.

Sincerely,

*Carolyn Renouf*

Carolyn A. Renouf, Paralegal to  
Attorney Christopher R. Lane



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  

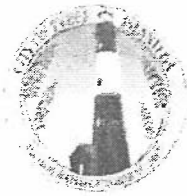
IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

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 Thomas Waldorf MEMBER (SOLE)  
JEM PROPERTIES VENTURES, LLC  
 Printed Name THOMAS WALDORF #101

Date 9-2-2022



CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS  
DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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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 Lawrence J. Schroeder

Printed Name Lawrence J. Schroeder # 102

Date 9/4/22



CITY OF TYBEE ISLAND

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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 John Carter

Printed Name John Carter #103

Date 09/02/2022



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:

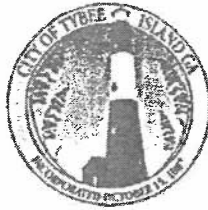
NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS OF \$250.00 OR MORE	GIFTS OF \$250.00 OR MORE	DATE OF CONTRIBUTION

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 Suzanne Braddy

Printed Name SUZANNE BRADDY #201

Date Sept. 13/2022



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 *Howard McMahar Janet McMahar* #202  
 Printed Name Howard McMahar MD / Janet McMahar  
 Date 9/23/22



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

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Signature Stanley Fountain

Printed Name STANLEY FOUNTAIN UNIT 203

Date 10/2/2022





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 Stanley Fountain

Printed Name STANLEY FOUNTAIN UNIT 301

Date 9/2/2022



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

ERIK J. DEARDYLER #302

Date

9.8.22



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.

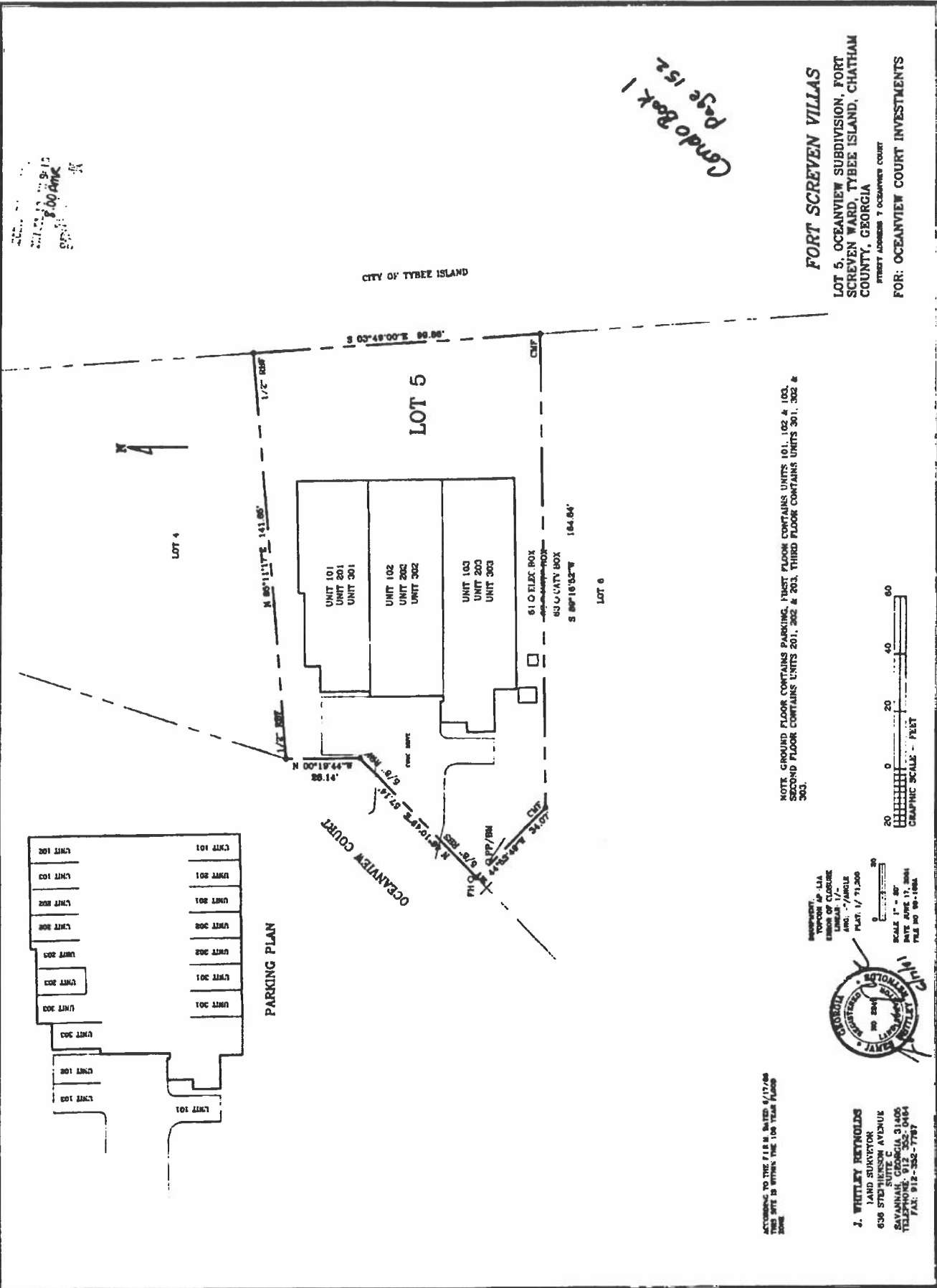
Signature *Ferese Jung*

Printed Name Ferese Jung #303

Date 10/9/22

ALL RIGHTS RESERVED  
NO. 121-00000-0000  
\$1.00 PER PAGE

Condo Book 1  
Page 152



CITY OF TYBEE ISLAND

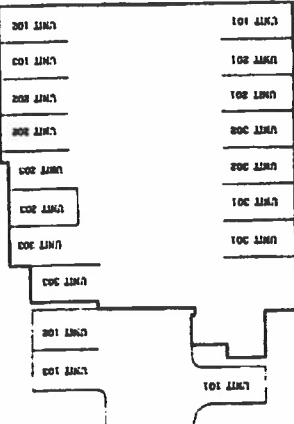
LOT 5

LOT 4

LOT 6

OCEANVIEW COURT

PARKING PLAN



**FORT SCREVEN VILLAS**

LOT 5, OCEANVIEW SUBDIVISION, FORT SCREVEN WARD, TYBEE ISLAND, CHATHAM COUNTY, GEORGIA

PROJECT ADDRESS: 7 OCEANVIEW COURT

FOR: OCEANVIEW COURT INVESTMENTS

NOTE: GROUND FLOOR CONTAINS PARKING. FIRST FLOOR CONTAINS UNITS 101, 102 & 103. SECOND FLOOR CONTAINS UNITS 201, 202 & 203. THIRD FLOOR CONTAINS UNITS 301, 302 & 303.



ACCORDING TO THE P.L.E.M. DATED 6/17/06 THIS SITE IS WITHIN THE 100 YEAR FLOOD ZONE

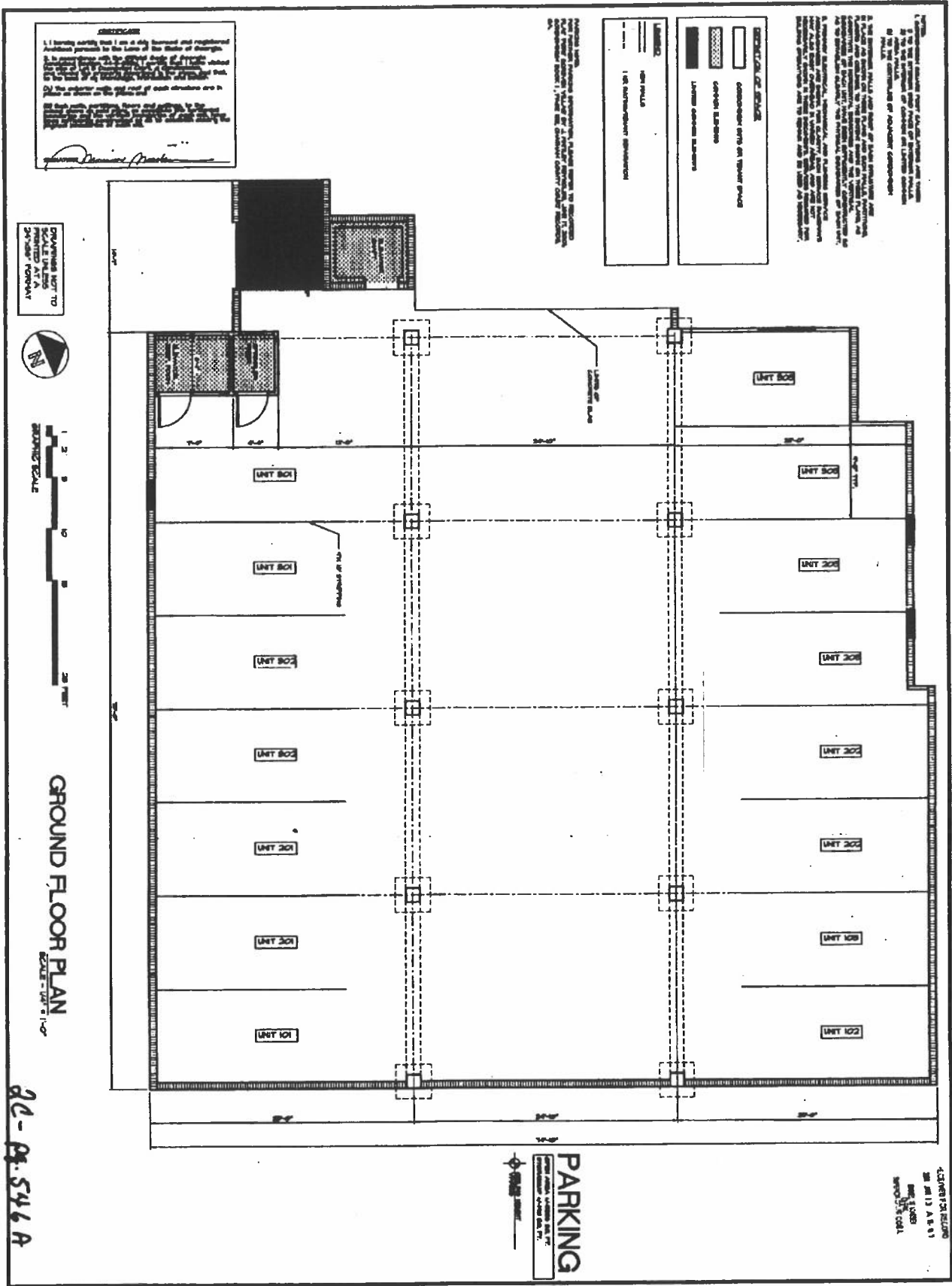


J. WHITLEY REYNOLDS  
LAND SURVEYOR  
658 STEPHENSON AVENUE  
SUITE C  
SAVANNAH, GEORGIA 31405  
TELEPHONE: 912-448-1464  
FAX: 912-332-7787

REVISIONS:  
TOPON AP L1A  
REVISION OF CLAUSE  
DATE: 12/17/06  
SCALE: 1" = 20'  
DATE: JUNE 17, 2006  
FILE NO: 15-152

PLAT: 1/71,200

CPB 2-546(A-D)



80-09-546A

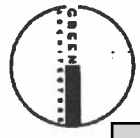
A1.0

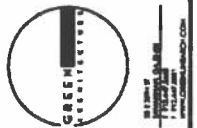


DATE: 01/17/2011  
TIME: 12:58:11 PM  
PROJECT: 80-09-546A

### A 9 UNIT CONDOMINIUM BUILDING FOR FORT SCREVEN VILLAS 7 OCEANVIEW COURT, TYBEE ISLAND, GEORGIA BK 2, PG 546A

DATE: 01/17/2011  
TIME: 12:58:11 PM  
PROJECT: 80-09-546A

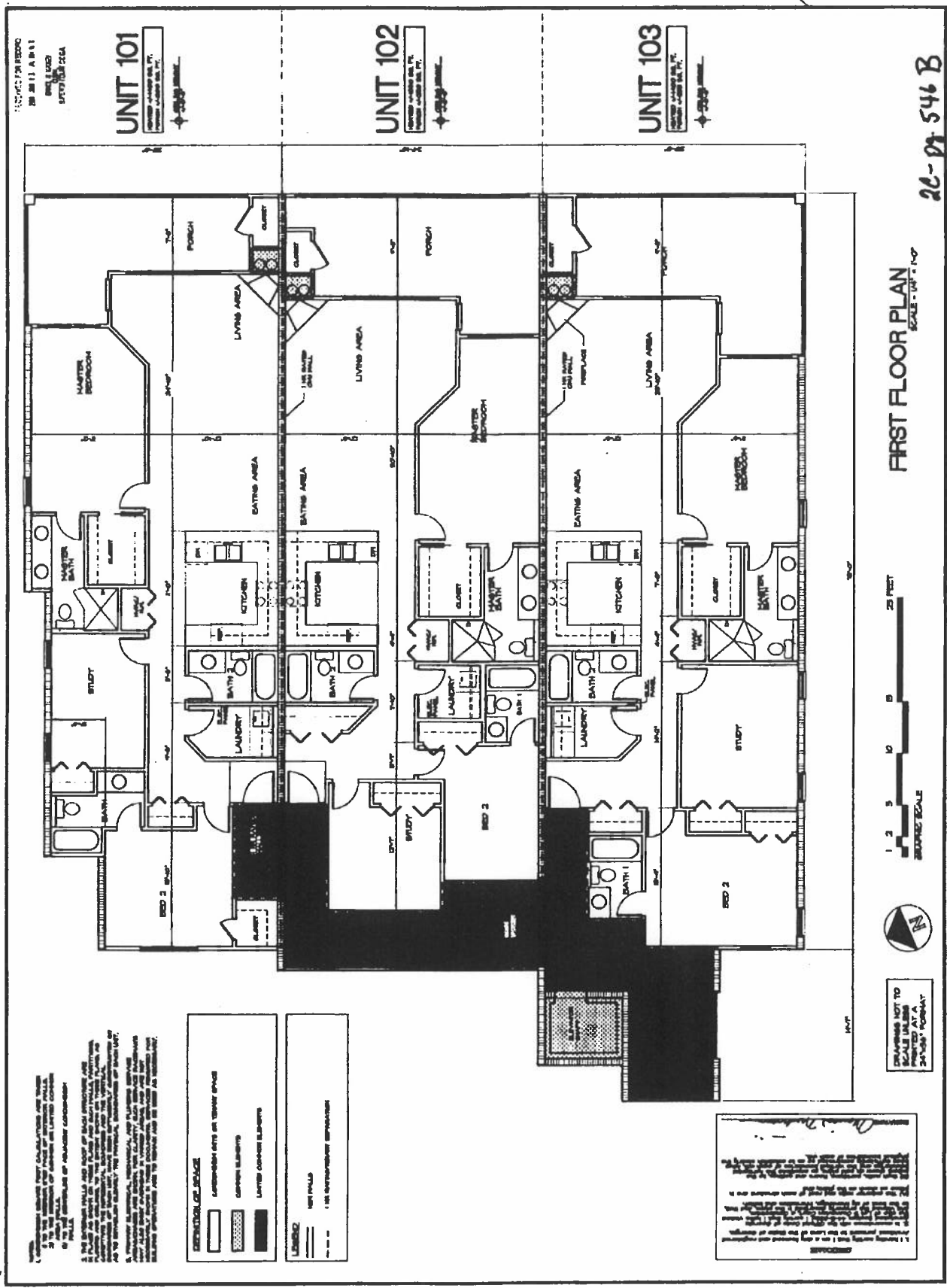


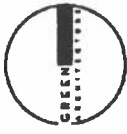


A 9 UNIT CONDOMINIUM BUILDING  
 FOR FORT SCREEN VILLAS  
 7 OCEANVIEW COURT, THREE ISLAND, GEORGIA



DATE: 08/11/11  
 DRAWN BY: JLD/11  
 SCALE: 1/8"=1'-0"  
 A.1.1





GREEN BUILDING  
 LEED CERTIFICATION  
 LEED GOLD

A 9 UNIT CONDOMINIUM BUILDING  
 FOR FORT SCREEN VILLAS  
 7 OCEANVIEW COURT, TREE ISLAND, GEORGIA

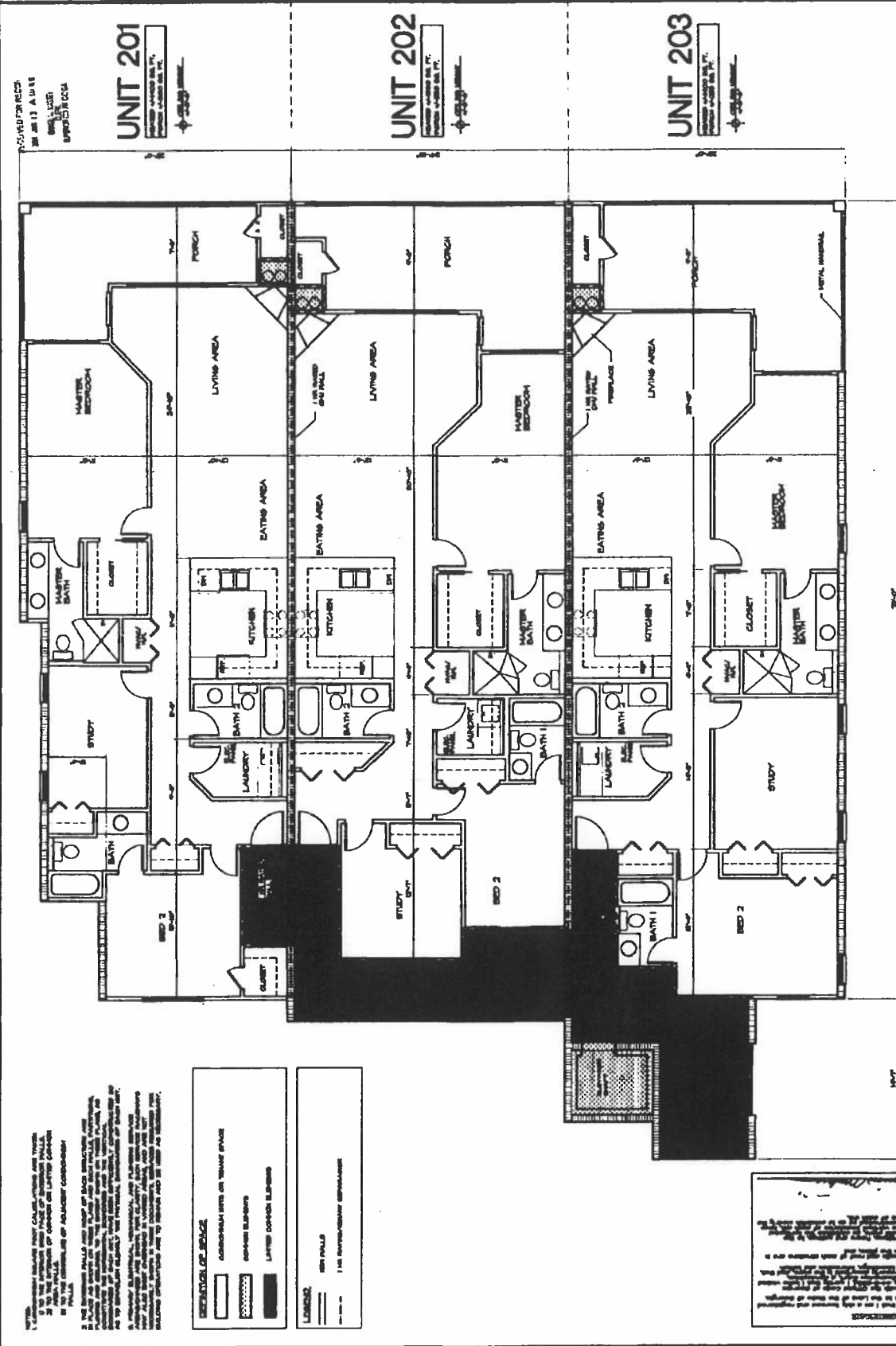
DATE: 07/11/2011  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]



11-400

DATE: 07/11/2011  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

A1.2



**UNIT 201**  
 APPROVED FOR PERMITS  
 1000 S.W. 13th Avenue  
 MIAMI, FL 33135  
 APPROVED BY: [Signature]

**UNIT 202**  
 APPROVED FOR PERMITS  
 1000 S.W. 13th Avenue  
 MIAMI, FL 33135  
 APPROVED BY: [Signature]

**UNIT 203**  
 APPROVED FOR PERMITS  
 1000 S.W. 13th Avenue  
 MIAMI, FL 33135  
 APPROVED BY: [Signature]

**SECOND FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"



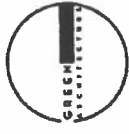
DRAWINGS NOT TO SCALE UNLESS SHOWN OTHERWISE

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.  
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.

GENERAL NOTES	
[Symbol]	COMMON AREA OR TRASH SPACE
[Symbol]	COMMON ELEMENTS
[Symbol]	UNIT COMMON ELEMENTS
[Symbol]	SEE FLOOR
[Symbol]	SEE MECHANICAL DRAWINGS

DATE: 07/11/2011  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

20-PI-546C



GREEN ARCHITECTURE  
 1100 N. W. 10th St.  
 Ft. Lauderdale, FL 33304  
 Phone: (954) 561-1111  
 Fax: (954) 561-1112

A 9 UNIT CONDOMINIUM BUILDING  
 FOR FORT SCREEN VILLAS  
 7 OCEANVIEW COURT, TREE ISLAND, GEORGIA



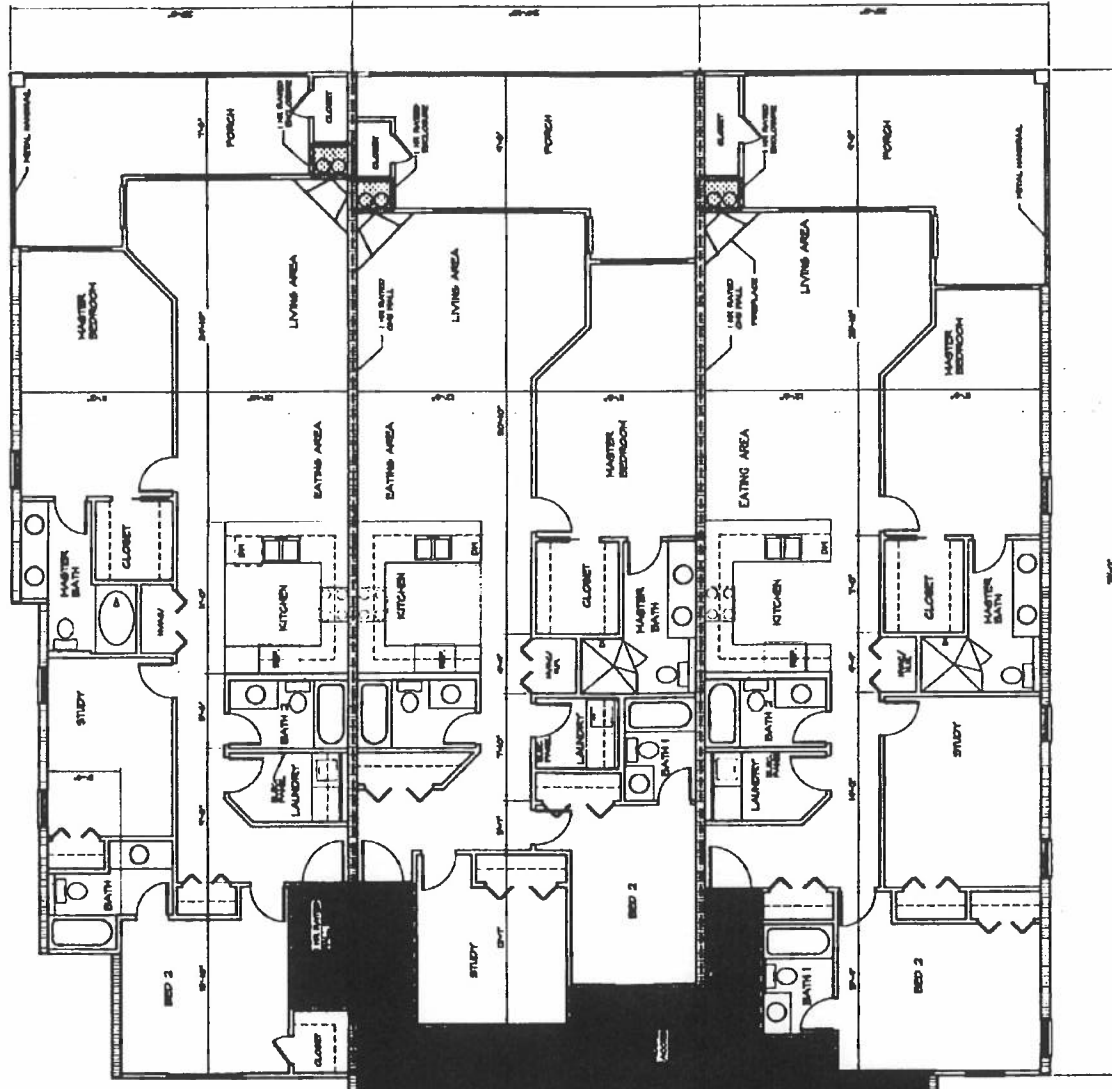
PROJ. NO. 10331  
 DATE: 07/11/2011  
 DRAWN: [Signature]

A1.3

UNIT 301  
 MASTER BEDROOM  
 LIVING AREA  
 EATING AREA  
 KITCHEN  
 BATH  
 STUDY  
 LAUNDRY  
 CLOSET

UNIT 302  
 MASTER BEDROOM  
 LIVING AREA  
 EATING AREA  
 KITCHEN  
 BATH  
 STUDY  
 LAUNDRY  
 CLOSET

UNIT 303  
 MASTER BEDROOM  
 LIVING AREA  
 EATING AREA  
 KITCHEN  
 BATH  
 STUDY  
 LAUNDRY  
 CLOSET



THIRD FLOOR PLAN  
 SCALE: 1/8" = 1'-0"



DO NOT SCALE TO  
 PRINTED AT A  
 24" X 36" FORMAT

NOTES:  
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 2. ALL WALLS ARE 1/2" THICK UNLESS NOTED OTHERWISE.  
 3. ALL DOORS ARE 3'-0" WIDE UNLESS NOTED OTHERWISE.  
 4. ALL WINDOWS ARE 6'-0" WIDE UNLESS NOTED OTHERWISE.  
 5. ALL FLOORS ARE TO BE FINISHED WITH 3/4" THICK CERAMIC TILE.  
 6. ALL CEILING ARE TO BE FINISHED WITH 5/8" THICK GYPSUM BOARD.  
 7. ALL ROOF ARE TO BE FINISHED WITH 2" THICK POLYSTYRENE INSULATION.  
 8. ALL EXTERIOR WALLS ARE TO BE FINISHED WITH 4" THICK CONCRETE BLOCK.  
 9. ALL EXTERIOR FLOORS ARE TO BE FINISHED WITH 4" THICK CONCRETE.  
 10. ALL EXTERIOR WALLS ARE TO BE FINISHED WITH 1/2" THICK GYPSUM BOARD.  
 11. ALL EXTERIOR WALLS ARE TO BE FINISHED WITH 1/2" THICK GYPSUM BOARD.  
 12. ALL EXTERIOR WALLS ARE TO BE FINISHED WITH 1/2" THICK GYPSUM BOARD.

DEFINITION OF FINISH	
[Symbol]	CONCRETE WITH OR WITHOUT FINISH
[Symbol]	GYPSUM BOARD
[Symbol]	LAYER Gypsum BOARD

LEGEND	
[Symbol]	WALL
[Symbol]	1/2" THICK GYPSUM BOARD

APPROVED: [Signature]  
 PROFESSIONAL ENGINEER  
 STATE OF FLORIDA  
 EXPIRES: 07/11/2011



Q-51

Q-51

P. J. Box 126  
Tybee Island, GA 31326  
October 5, 1978

Clerk of Superior Court  
Chatham County Courthouse  
P.O. Box 8161  
Savannah, Georgia 31402

Dear Sir or Madam:

The attached plot showing reduction of area known as Property Identification Number 598-8-003-10 meets the lot area requirements for Zone R-1 (12,000 sq. ft.), Article IV, Section F of the Code of Ordinances, City of Tybee Island, requires that such lots be connected to city water and sewer. The attached sewer plan for these lots must be implemented prior to any construction in this area.

The attached plans hereby become a part of this agreement.

No changes or alterations can be made unless approved by the Zoning Administrator.

Sincerely,  
*Earl N. Anderson*  
Earl N. Anderson  
Zoning Administrator

Q-51

- GENERAL NOTES
1. THE MINIMUM FINISHED FLOOR ELEVATION OF HABITABLE AREA OF RESIDENCES SHALL BE 14.2' M.S.L.
  2. LOTS TO BE SERVED BY CITY OF TYBEE ISLAND SANITARY SEWER & WATER SYSTEM.
  3. UTILITY EASEMENTS ARE INTRODUCED FOR ACCESS TO INSTALL AND MAINTAIN ALL UTILITIES SUCH AS WATER, SEWER, POWER, TELEPHONE, ETC.
  4. I CERTIFY THAT EACH LOT IN THIS SUBDIVISION CONTAINS 15,000 SQUARE FEET OR MORE.

*Earl N. Anderson*  
P. J. Box 126  
Tybee Island, GA 31326

STATE OF GEORGIA  
CHATHAM COUNTY

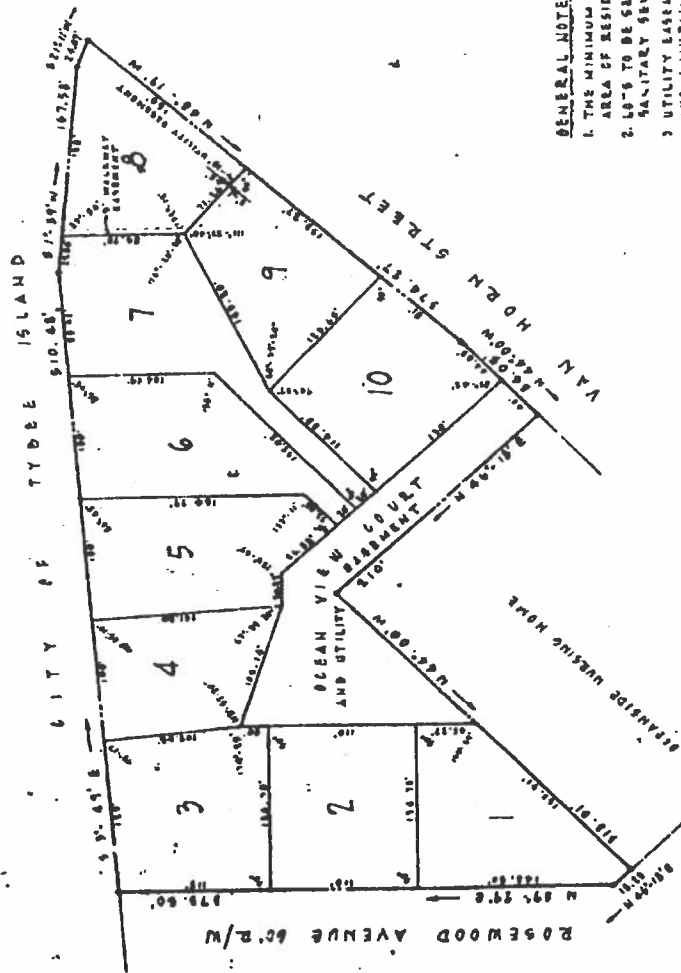
OCEAN VIEW SUBDIVISION  
FIRST SEWER WARD, TYBEE ISLAND

FOR: OCEAN VIEW PARTNERS

SCALE: 1" = 60'

BARRETT & KELLEY, INC.  
SURVEYING & PLANNING  
SAVANNAH, GEORGIA

RECEIVED FOR RECORD  
October 13, 1978  
RON P. ANDERSON  
CLERK S.C.C. CH. CLERK



15-51 Q-51

ee Island, Georgia  
Google  
et View - Jun 2014

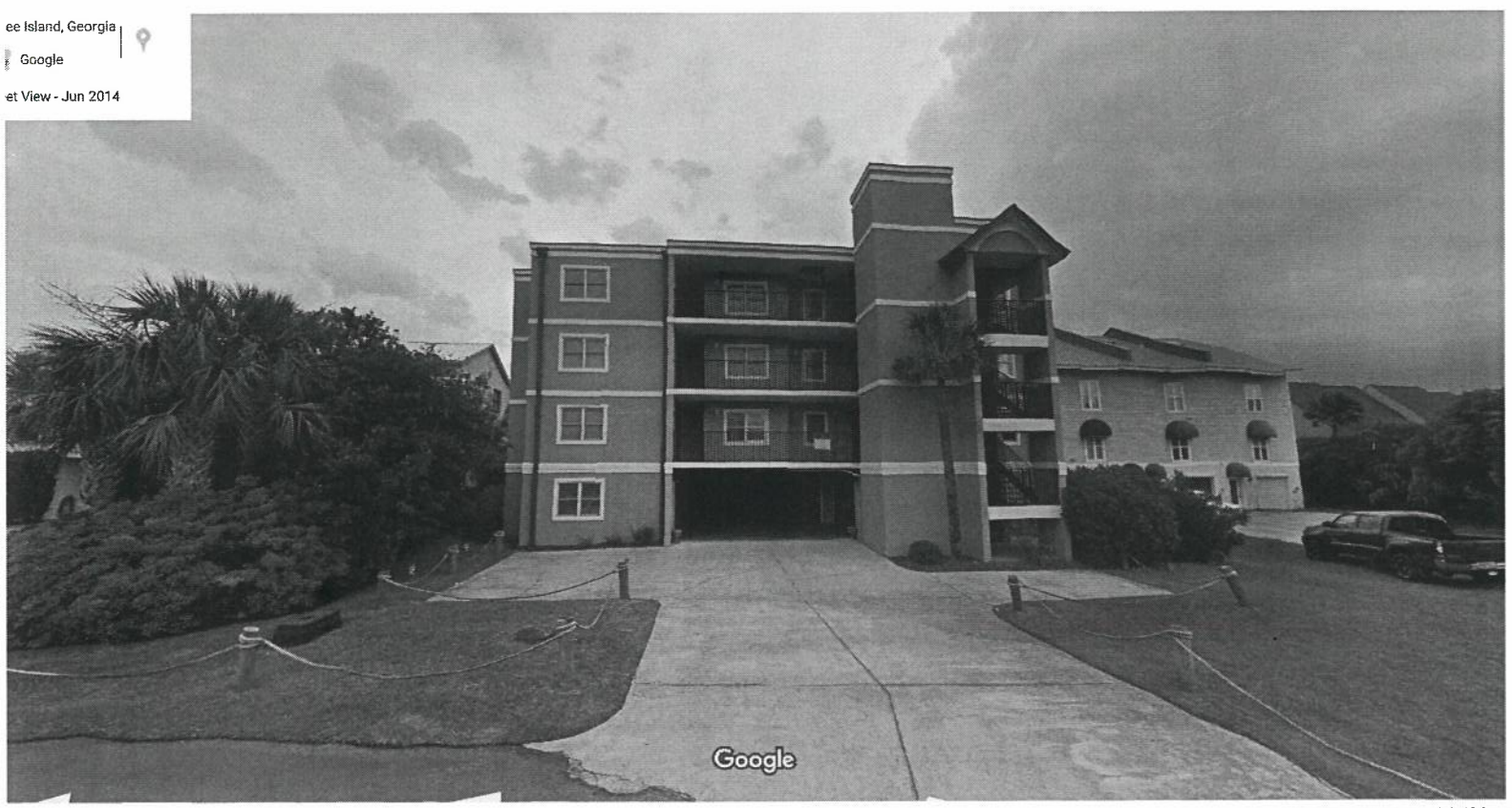


Image capture: Jun 2014 © 2023 Google



Caption Property

Zoned R-1

ee Island, Georgia

Google

et View - Jun 2014



Image capture: Jun 2014 © 2023 Google



Adjacent property to north  
Zoned R-T

ee Island, Georgia  
Google  
et View - Jun 2014

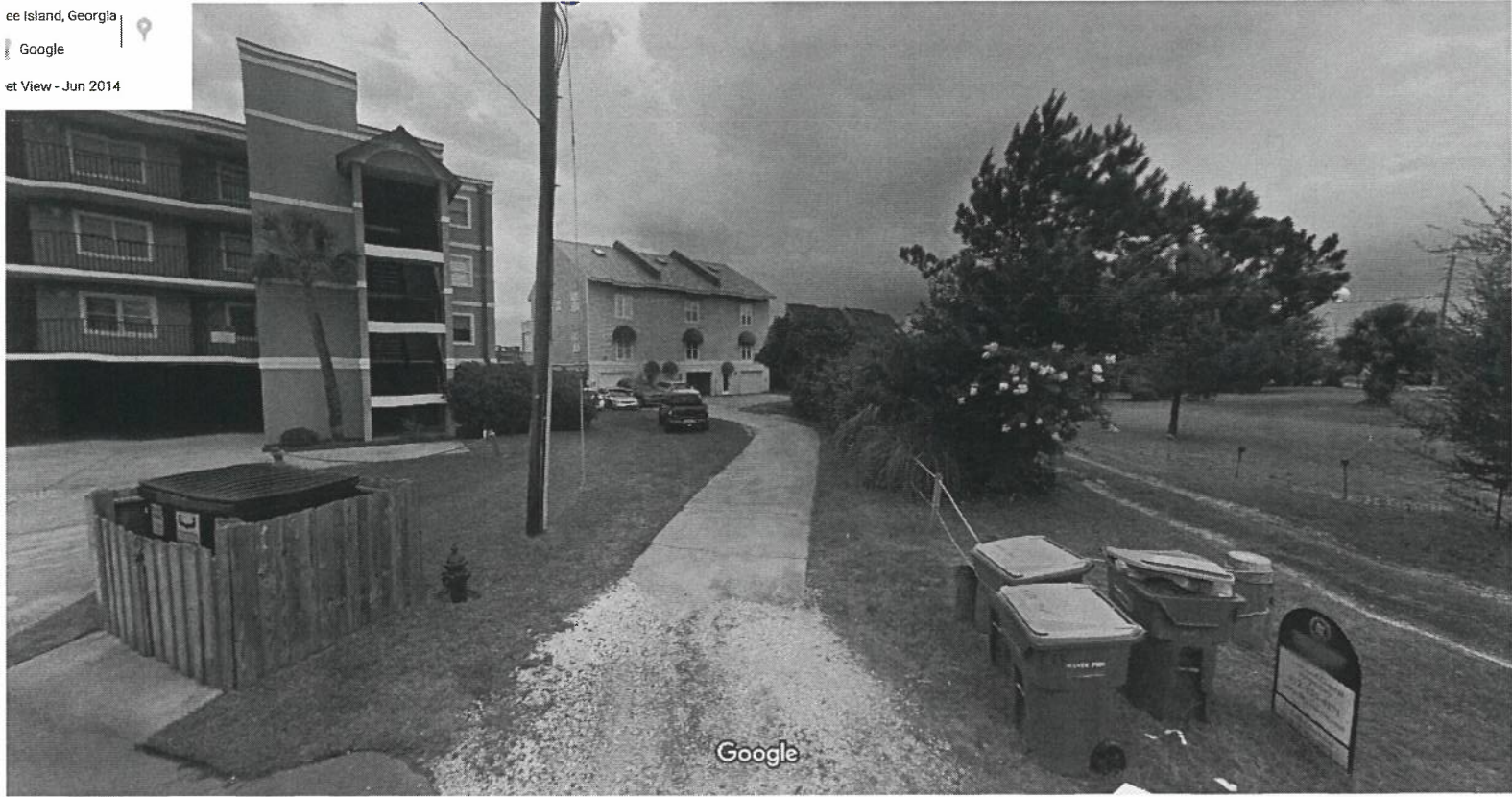


Image capture: Jun 2014 © 2023 Google



Adjacent property to South  
Zoneed R-1

Map Officially Adopted

Date: April 22, 1999

Map Readopted with Amendment

Date: December 10, 1999

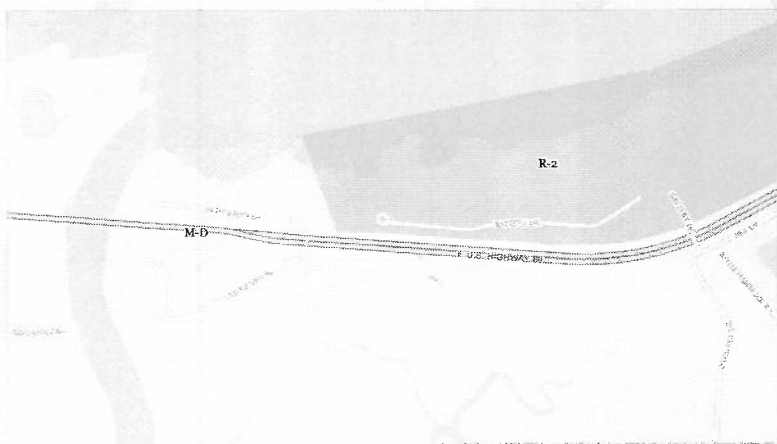
Amended: March 27, 2014

Mayor: Jason Kellum

City Clerk: J. Williams

This map is a product of the Coastal Regional Commission's Geographical Information Systems (CRGIS). The CRGIS expressly disclaims liability that may result from the use of these maps.  
Contact: City of Tybee Island Phone: 912-786-4575

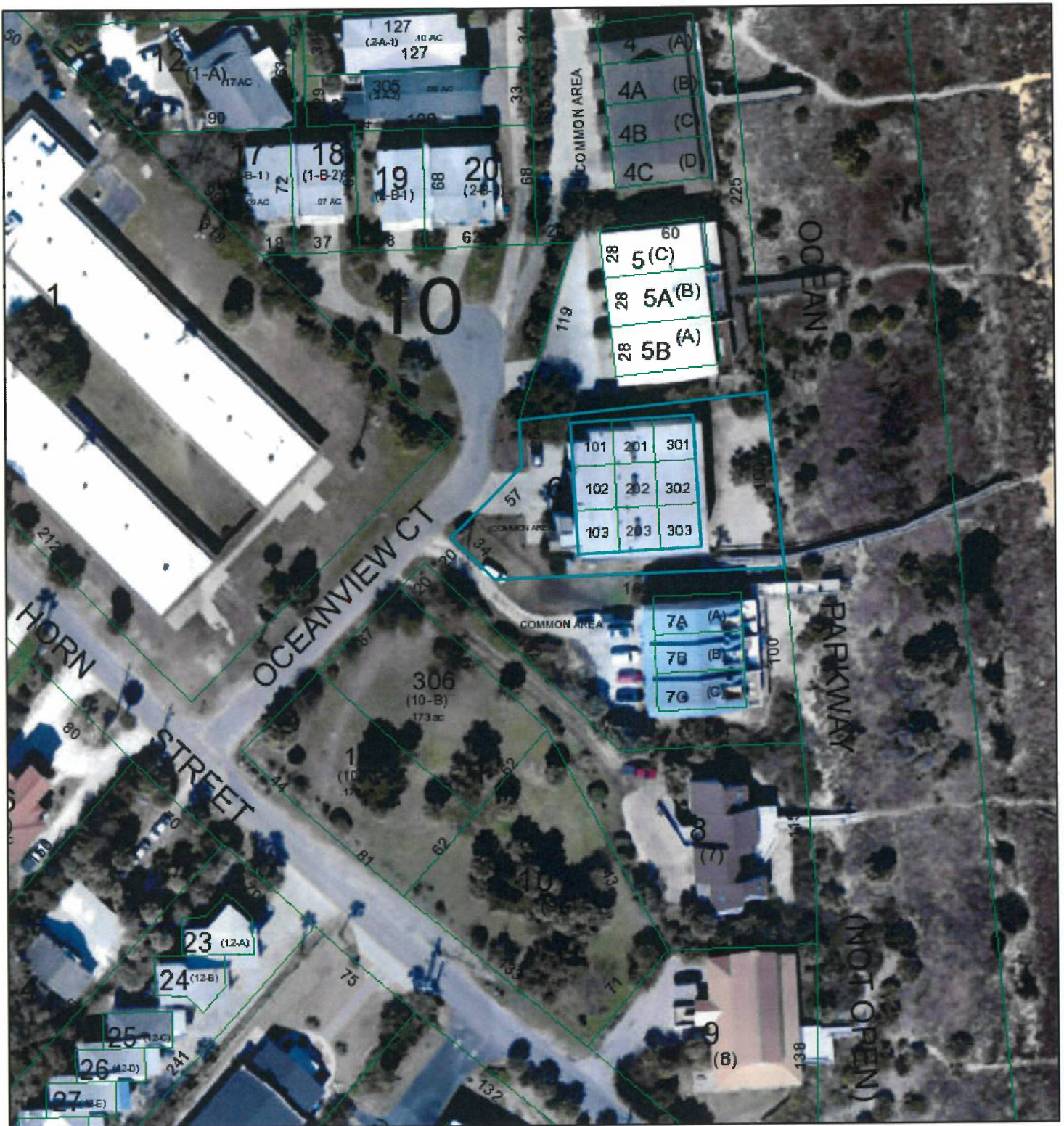
# Tybee Island Zoning Map



- C-1\*/SE, Conditional Zoning
- E-C, Environment Conservation
- P-C, Public - Conservation
- R-1-B, Single Family Residential
- NG, Neighborhood Store
- C-1, Beach Business
- M-D, Maritime
- PUD, Planned Unit Development
- R-2, One and Two Family Residential
- R-1/NEC, North End Cultural Overlay
- C-1/SE, Zoning South End Business Overlay
- N-M, Neighborhood Marina
- R-1, Single Family Residential
- R-T, Residential Tourist
- R-1/NEP, North End

Item #3.

# SAGIS Map Viewer

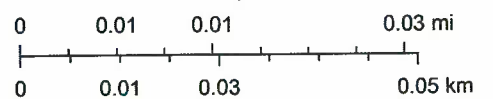


2/2/2023, 3:42:30 PM

*7 Ocean View Ct.*

 Property Boundaries (Parcels)

1:1,128



SAGIS

Item #3.

- Page 38 -

SAGIS  
SAGIS I



**PLANNING COMMISSION  
NOTICE OF DETERMINATION**

Meeting date: February 13, 2023

Project Name/Description: requesting to change zoning-7 Ocean View Court-4000310006 – Zone R-1 –Fort Screven Villas Condo Assoc.

Action Requested: Map & Text Amendment

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

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

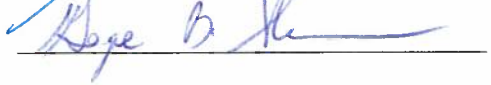
The Planning Commission Motion on Petition:     Approval     Denial     Continued

Action on Motion:

COMMISSIONER	FOR	AGAINST	COMMENTS
Livingston	X		
McGruder	X		VICE CHAIR
Nooney		X	
Matkowski	X		
Reynolds			CHAIR
Rodriguez		X	
Williams	X		

Planning Commission Chair: 

Date: 2/16/23

Planning & Zoning Manager: 

Date: 2-15-2023

**File Attachments for Item:**

4. Special Review: 1517 and 1517B Chatham Avenue. Sarah ad Ben Beason





# AGENDA ITEM

CITY COUNCIL MEETING: March 9

Applicant wants to combine their two lots into one but needs approval of guest cottage to allow two homes on one lot.

Combine two lots into one with guest cottage for family.

## ATTACHMENTS

[2-SPECIAL REVIEW-1517 CHATHAM.pdf](#)



# STAFF REPORT

PLANNING COMMISSION MEETING: February 13, 2023

CITY COUNCIL MEETING: March 9, 2023

LOCATION: 1517 & 1517B Chatham Ave.

PIN: 40010 03013

APPLICANT: Sarah & Ben Beason

OWNER: Sarah & Ben Beason

EXISTING USE: Two single family homes on separate lots  
cottage

PROPOSED USE: Single family home with guest

ZONING: R-2  
review

USE PERMITTED BY RIGHT: Yes, after special

COMMUNITY CHARACTER MAP: Back River Neighborhood

APPLICATION: Special review for allowance of a guest cottage

PROPOSAL: The applicant is requesting approval of special review to allow detached livable structure on one R-2 lot. This is currently two lots but applicants wish to combine lots and use the second dwelling for a parent.

ANALYSIS: This is currently two parcels with a home on each lot. The applicants own both lots and would like to combine them to better land plan for their needs. The parcels are currently conforming for size and setbacks but future placement of a pool and accessory structure makes the lot line placement awkward. The second home would just be used for family members, currently Ms. Beason's mother. This application meets the requirements of 5-070 – Standards for special review. There is at least one other guest cottage on Chatham 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.*

<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/A

6.	The City should provide appropriate incentives for historic restoration projects	N/A
7.		

STAFF FINDING

Staff recommends approval.

*This Staff Report was prepared by George Shaw.*

ATTACHMENTS

- A. Special review application (5 pages)
- B. Survey (1 page)
- C. (1 page)
- D. SAGIS map (1 page)



# CITY OF TYBEE ISLAND SPECIAL REVIEW APPLICATION

Fee \$500

Applicant's Name Sarah & Ben Beason

Address and location of subject property 1517 Chatham Ave Tybee Island, GA 31328

PIN 40010 03013 Applicant's Telephone Number 1 (270) 952-1782

Applicant's Mailing Address 1517 Chatham Ave, Tybee Island GA 31328

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

See the Attached

Property Owner's Name Sarah & Ben Beason Telephone Number 1 (270) 952-1782

Property Owner's Address 1517 Chatham Ave, 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 R-2 Current Use R-2

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.

Sarah & Ben Beason 01-24-23  
Signature of Applicant Date

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

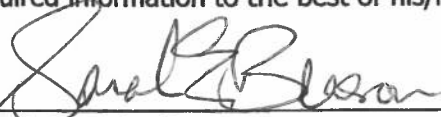
Fee Amount \$ 500.00 Check Number 149 Date 1/24/2023

City Official [Signature]

NOTE: This application must be accompanied by following information:

- A detailed description of the proposed activities, hours of operation, or number of units.
- 8 copies, no smaller than 11 x 17, of the proposed site plan and architectural renderings.
- Disclosure of Campaign Contributions form

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

01-24-23  
\_\_\_\_\_  
Date

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

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

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

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



## CITY OF TYBEE ISLAND

### CONFLICT OF INTEREST IN ZONING ACTIONS DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

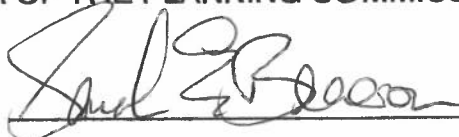
Have you within the past two (2) years made campaign contributions or gave gifts having an aggregate value of \$250.00 or more to a member of the City of Tybee Island Planning Commission, or Mayor and Council or any local government official who will be considering the rezoning application?

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 Sarah Beason

Date 1/19/2023



114 W. 42<sup>nd</sup> St.  
Savannah, GA 31401  
o: 912.235.2915  
f: 866.209.4239  
www.maupinengineering.com

January 19, 2023

□

**RE: 1517 Chatham Ave  
Request for Allowance of Guest Cottage**

Dear Mayor and Council,

The property owner of 1517 & 1517B Chatham Ave is requesting a special review for use of their property as a Primary Home with Guest Cottage.

Per section City of Tybee Section 4-050 (C)(2)a which references back to Section 4-050 (A)(2)h, a Primary Residence and Guest Cottage is allowable on a single lot upon granted approval by the mayor and council.

The property is currently zoned R-2 and is subdivided in two lots. The Beasons own both lots and would like to return the two properties into the historic single lot. The property appears to have been separated in October 2012. The property has historically consisted of a primary residence, guest cottage and free standing garage.

The existing guest cottage has recently been renovated by the Beasons. They have made application to demolish the existing free standing garage and due to structural concerns the primary residence will be removed and new primary residence will be constructed. The return of the parcel to the historic single lot configuration will allow for the new primary residence to be constructed further from the beach due to the elimination of setbacks associated with the internal property line.

We ask for your support on this special review application.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Maupin".

Jay Maupin, P.E.  
MAUPIN ENGINEERING, INC.

1 of 1



# SAGIS Map Viewer

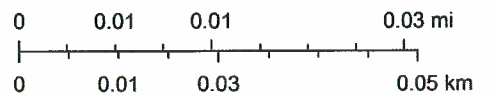


2/2/2023, 3:49:45 PM

*1517 Chatham Ave.*

 Property Boundaries (Parcels)

1:1,128



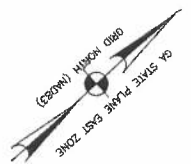
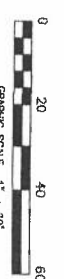
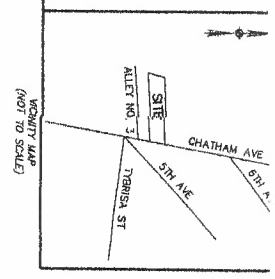
SAGIS

Item #4.

- Page 49 -

SAGIS  
SAGIS I

THIS BLOCK IS RESERVED FOR THE CLERK OF SUPERIOR COURT



**SURVEYOR'S NOTES**

1. COORDINATES AND DIRECTIONS ARE BASED ON GEORGIA STATE PLANE
2. ACCORDING TO FLOOD INSURANCE RATE MAP, FIRM PANEL 130502020C, REVISION 08/19/2018, THIS PROPERTY LIES IN ZONE AE, A 100 YEAR FLOOD HAZARD AREA WITH BASE FLOOD ELEVATIONS (BFE) AS SHOWN ON THIS SURVEY. THIS SURVEYOR MAKES NO WARRANTY OR GUARANTEE FOR AS TO THE LOCATION, EXISTENCE, OR NON-EXISTENCE OF ANY BELOW THE PUBLIC RECORDS REFERENCED HEREIN REGARDING THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NO SHOWN AND CONSTITUTE A TITLE SEARCH. OR SURVEY WERE PERFORMED FOR THIS PLAT, THEREFORE THIS PLAT DOES NOT REFLECT OTHER CONDITIONS OR NON-EXISTENCE OF METERS, CONVEYANCES, OR PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND DOCUMENTS. THE CERTIFICATION IS NOT AN EXPRESSION OF IMPLIED WARRANTY OR GUARANTEE.
3. THIS PROPERTY IS SERVED BY CITY OF TYBEE ISLAND WATER AND SEWER SYSTEMS.
4. THE RELOCATABLE UTILITY/ACCESS EXISTENCE WILL BE CENTERED ON THE EXISTING CENTERLINE OF THE UTILITY AS SHOWN ON THE EXISTENCE SHOWN ON PLAT BOOK 47P, PAGE 54.
5. THE C.M.P.A. (COASTAL MARSHLANDS PROTECTION ACT) JURISDICTION 06/21/2003 IS SHOWN ON THIS PLAT. THE CONVERSION USED WAS [M.T.L.-0.43-NAVD83].

**LEGEND**

- 1/2" IRON ROD FOUND
- 3/4" IRON ROD FOUND
- 5/8" IRON ROD SET
- CONCRETE FOUNDMENT FOUND
- FOUND EQUIPMENT
- RELOCATION CONTROL VALVE
- WATER
- POWER POLE
- WATER HOSE BIBB
- WATER METER
- OVER HEAD POWER LINE
- TOP OF BANK

APPROVED FOR RECORDING BY THE TYBEE ISLAND PLANNING DIRECTOR

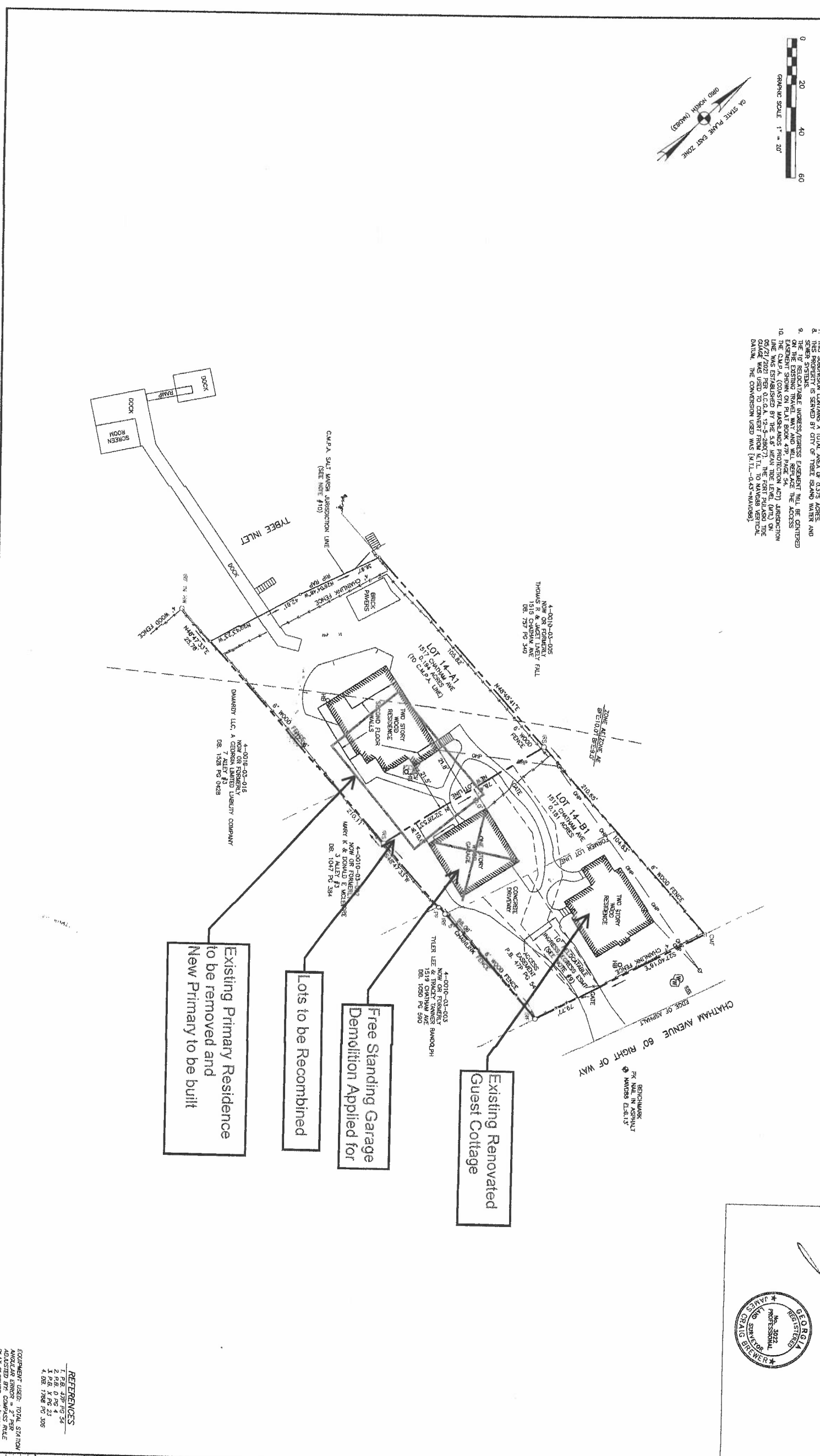
*[Signature]*  
 PLANNING DIRECTOR  
 DATE: 12/16/2021

*[Signature]*  
 SURVEYOR  
 DATE: 12/22/2021

**SURVEYOR'S CERTIFICATION**

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-4-67, THIS ALL APPLICABLE LICENSES, SIGNATURES, STAMPS, OR STAMPS APPROVED BY THE BOARD OF SURVEYORS SHOULD BE COMPLETED WITH THE THIS PLAT AS TO INTENDED USE OF ANY PUBLIC RECORDS OR USER OF THE INFORMATION. THE SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE REQUIREMENTS OF O.C.G.A. SECTION 15-4-67. THE SURVEYOR HAS BEEN LICENSED BY THE BOARD OF SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-4-67.

*[Signature]*  
 JAMES CRAIG BREWER  
 O.C. 8134 3022  
 DATE: 12/16/2021



Item #4.

- REFERENCES**
- 1. F.S. 201.01
  - 2. F.S. 201.02
  - 3. F.S. 201.03
  - 4. O.S. 1708 P. 305
- EQUIPMENT USED: TOTAL STATION  
 FIELD DATE: 02/27/2021  
 ANGLE ERROR = 2" PER  
 DIST. MEASUREMENT: 1/2000  
 SCALE: 1" = 20'  
 FIELD CLOSURE = 1/21,830

PROJECT #	2104-01
FIELD DATE	02/27/2021
DATE REVISION	12/22/2021
DRAWN BY	JCB
CHECKED BY	JCB
SCALE	1" = 20'
SHEET 1 OF 1	

A BOUNDARY & TOPOGRAPHIC SURVEY OF  
**LOT 14-A1 & 14-B1, WARD #6**  
 CITY OF TYBEE ISLAND, CHATHAM COUNTY, GEORGIA

PREPARED FOR:  
**CORY SCOVILLE**

**BREWER LANDSURVEYING**

604 US Highway 80W  
 Pooler, GA 31322  
 Info@BrewerSurveying.com  
 Phone (912) 856-2205  
 www.BrewerSurveying.com  
 LSP #1095

**File Attachments for Item:**

5. Resolution: 2023-04 Opposition to HB 517

**RESOLUTION NO. 2023-\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF TYBEE ISLAND IN OPPOSITION TO  
HB 517, A BROAD PREEMPTION BILL PENDING IN THE STATE  
LEGISLATURE WHICH IS CONTRARY TO PRINCIPLES OF HOME RULE  
AND IS OTHERWISE INAPPROPRIATE AND WILL POTENTIALLY LEAD  
TO ADDITIONAL EFFORTS OF STATE INTERFERENCE WITH LOCAL  
MATTERS IMPACTING NECESSARY AND APPROPRIATE LOCAL  
CONTROLS**

WHEREAS, the City elected officials have become aware of legislation pending in the State General Assembly known as HB 517, which is known as the Georgia Home Ownership Opportunity Act which purports to preempt local government control of issues regarding the “building design elements” relating to the development of one or two family dwellings; and

WHEREAS, it appears that HB 517 is not narrowly tailored so as to properly limit its application in a manner which would not be contrary to principles of Home Rule as provided by law; and

WHEREAS, the City of Tybee Island and other municipalities and counties throughout the state of Georgia must retain all aspects of their constitutional authority with regard to matters properly vested in local government; and

WHEREAS, the City Council has important “elements” by ordinances of local requirements unique to the environment at Tybee Island that should not be preempted by HB 517 to the detriment of the local planning efforts of the City; and

WHEREAS, the City has been requested to state its position with respect to HB 517;

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED that the City Council hereby expresses its objections to HB 517 in its entirety as being contrary to constitutional principles of Home Rule and zoning matters being vested in local government and HB 517 represents efforts to reduce local government’s control over zoning and Home Rule matters and the preemption thereof; and

BE IT FURTHER RESOLVED that the City of Tybee Island has unique characteristics as a beach community and needs the ability to pass ordinances to maintain and protects its resources; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to members of the local delegation as an expression of the City’s opposition to HB 517.

SO RESOLVED, this \_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF TYBEE ISLAND, GEORGIA**

By: \_\_\_\_\_  
Shirley Sessions, Mayor

ATTEST:

By: \_\_\_\_\_  
Jane LeViner, CMC  
Clerk of Council