PLANNING COMMISSION
Anna Butler
Beau Livingston
Robert J. Matkowski
Elaine McGruder
Ron Rimawi
David Roberts
Marie Rodriguez-Beebe

CITY MANAGER
Bret Bell

COMMUNITY DEVELOPMENT DIRECTOR
Patricia Sinel

CITY ATTORNEY
Edward M. Hughes/ Tracy O'Connell

CITY OF TYBEE ISLAND

Planning Commission Meeting
February 24, 2025 – 6:30 pm

Minutes of Meeting

Chair Elaine McGruder called the meeting to order at 6:30PM, February 24, 2025. Planning Commission members in attendance were **Anna Butler, Beau Livingston, Robert Matkowski, Michelle Nooney** and **David Roberts**. Staff in attendance were **Patricia Sinel** and **Lisa Schaaf**. **Marie Rodriguez-Beebe** was absent.

Opening Ceremonies. Pledge of Allegiance

Planning Commission Oath was administered by Fabian Mann Clerk of Council to Robert J. Matkowski and Ron Rimawi **for 2-year terms ending January 31, 2027.**

Elections: David Roberts nominated Elaine McGruder for Chair and Beau Livingston seconded. The vote was unanimous. Elaine McGruder nominated Anna Butler for Vice Chair. David Roberts seconded. The vote was unanimous.

Consideration of Minutes for January 27, 2025**,** meeting minutes. Anna Butler stated her motion was to deny for consistency was not reflected. Staff stated they would make the change. **Robert Matkowski** made a motion to approve. **Beau Livingston** seconded. The vote to approve was unanimous.

Disclosures/Recusals. There were none.

Old Business. There was none.

New Business:
Variance Application: 35' height requirement. 1105A Bay Street-Zone R-1 -40021 16062 – Kiem Cao Nguyon.
Community Planning Director Patricia Sinel presented the existing conditions of the height variance, an existing single-family structure under construction. **Patricia Sinel** explained the background for the variance. City staff approved the building plans on April 18, 2023, showing a top of roof height of 34'8.5" measured from the finished floor of the garage. City staff reach out to the builder November 2024 to require verification of height prior to ordering the framing inspection. December 2024 owners provided verification of height from a license's surveyor at 41.6" mean sea level, or 35'7" above average grade, with the average grade being calculated as 5.9MSL. In January 2025, applicant requested a variance in the height requirements in lieu of reducing the height of the structure. In Tybee Island's Land Development Code, the vertical distance is measured from the average adjacent grade, which is the natural elevation of ground surface, prior to construction. **Patricia**

Sinel stated that in 2023 staff calculated the average adjacent grade as 5.4 MSL. She also explained if a variance is granted, the structure shall be equipped with fire safeguards. **Patricia Sinel** stated staff has received seven emails and letters in opposition to the height variance request. Staff recommends denial. **Fidel Pedraza**, who is the applicant's contractor, stated the surveyor based all his measurements off a benchmark in the road.
Kiem Cao Nguyen, who lives at 649 Wyndham Way, Pooler and is the owner of 1105A Bay Street, stated he wants to ask for any leeway for the height. Pat Liby, 812 Butler Avenue, spoke against. Dottie Klutz, 1 Officers Row, spoke against. Ben Goggins, 31 Officers Row, spoke against. Dee Matkowski, 20 Pulaski Street, spoke against. Dawn Shay, 4 Billfish Lane, spoke against. Sarah Jones, 30 Meddin, Tybee Island Historical society, spoke against. Vinesha Butler, 151 S Campbell Avenue, spoke against. **Beau Livingston** made a motion to deny. **Robert Matkowski** seconded. The motion to deny was unanimous.

Director's report:
Patricia Sinel stated Commissioner Robert Matkowski is a returning member and thanked him. And introduced new member Commissioner Ron Rimawi to Planning Commission. Director Sinel stated for any new commissioners she will work with Assistant City Manager Michelle Owens and GMA to schedule ethics training. Anyone who is on a committee, commission or council who has not had ethics training please contact staff for training.

Adjournment: 8:00 pm

Lisa L. Schaaf