



## **AGENDA PLANNING COMMISSION June 21, 2021 at 7:00 PM**

### Call to Order

### Consideration of Minutes

- [1.](#) PC MINUTES 20210517

### Disclosures and Recusals

### Old Business

- [2.](#) VARIANCE: build second set of stairs in setback after addition and reduce greenspace – 1209 Butler Ave.–40007 07008–Zone R-2–Jeff Cramer.
- [3.](#) SITE PLAN APPROVAL: Add walk in cooler & renovate deck-106 S. Campbell Ave.–40003 04006–Zone C-2-Ricardo A. Ochoa.

### New Business

### Adjournment

- [4.](#) SHORT TERM RENTAL STATS

### Standing Items

### Adjournment

**PLANNING COMMISSION**

Demery Bishop  
 Ron Bossick  
 Marie Gooding  
 Susan Hill  
 Elaine T. McGruder  
 David McNaughton  
 J. Whitley Reynolds



**CITY MANAGER**  
 Shawn Gillen

**COMMUNITY DEVELOPMENT DIRECTOR**  
 George Shaw

**CITY ATTORNEY**  
 Edward M. Hughes

## Planning Commission Meeting MINUTES MAY 17, 2021

**Chair Demery Bishop** called the meeting to order. Those present were Ron Bossick, Marie Gooding, Susan Hill, Elaine T. McGruder, David McNaughton and J. Whitley Reynolds.

**Consideration of April 19, 2021 Minutes:** **Susan Hill** made a motion to approve. **Elaine T. McGruder** seconded. The vote to approve was unanimous.

**Disclosures/Recusals:**

**Ron Bossick** disclosed he is a board member for the Tybee Island Maritime Academy, item number four. He stated a recusal is not needed.

**J. Whitley Reynolds** disclosed he did the original Survey for 1209 Butler Ave., item number two. He stated a recusal is not needed.

**Text Amendment: amendment to the Tree Ordinance.**

**David McNaughton** made a motion to continue to correct errors to text. **Elaine T. McGruder** seconded. Vote was unanimous to continue, 6-0.

**VARIANCE: build second set of stairs in setback after addition and reduce greenspace – 1209 Butler Ave.-40007 07008–Zone R-2–Jeff Cramer.**

**David McNaughton** made a motion to continue with more explanation. **Elaine T. McGruder** seconded. Vote was unanimous to continue, 6-0.

**SITE PLAN APPROVAL: Add walk in cooler & renovate deck-106 S. Campbell Ave.-40003 04006–Zone C-2-Ricardo A. Ochoa.**

**Elaine T. McGruder** made a motion to continue with more explanation. **David McNaughton** seconded. Vote was unanimous to continue, 6-0.

**SITE PLAN WITH VARIANCE: Replace existing building and reduce setback along 8<sup>th</sup> Street to zero feet–714 Lovell Ave.-Annex–40005 22001–Zone R-1-B–Tybee Island Maritime Academy.**

**Elaine T. McGruder** made a motion to approve. **Marie Gooding** seconded. Voting in favor were **Ron Bossick, Marie Gooding, Elaine T. McGruder, David McNaughton** and **J. Whitley Reynolds**. Voting against was **Susan Hill**. Motion passed 5-1.

**David McNaughton** asked George Shaw to bring a report on how software and registrations are going on short term rentals to the June 21<sup>st</sup> Planning Commission meeting.

Meeting adjourned at 9:00PM

*Lisa L. Schaaf*



## STAFF REPORT

PLANNING COMMISSION MEETING: May 17, 2018

CITY COUNCIL MEETING: June 10, 2019

LOCATION: 1209 Butler Ave.

PIN: 40007 07008

APPLICANT: Jeff Cramer

OWNER: James & Donna Wilson

EXISTING USE: Single family dwelling

PROPOSED USE: Single family dwelling

ZONING: R-2

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Inland Cottage Neighborhood

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

PROPOSAL: The applicant is requesting setback variance of 4'8" to add a set of stairs to the proposed second floor addition. An additional variance is requested to reduce the required greenspace from 65% to 61% caused by the wider driveway and encroaching stairway.

ANALYSIS: The applicant is requesting the variance to avoid the second set of stairs from taking up livable space and a variance to reduce the required greenspace in the setbacks.

Variance standards require that the applicant meet the following conditions:

- (1) That there are unique physical circumstances or conditions beyond that of surrounding properties, including irregularity, narrowness, or shallowness of the lot size or shape, or exceptional topographical or other physical conditions, or considerations related to the environment or the safety, or to historical significance, that is peculiar to the particular property; and,
- (2) That because of such physical circumstances or conditions, the property cannot be developed in strict conformity with the provisions of this Land Development Code, without undue hardship to the property.
- (3) A nonconforming use or structure does not constitute a unique physical circumstance, condition, or consideration.

This variance does not meet the above criteria. The applicant would like more indoor living space but as the property is already developed there is no hardship. A second set of stairs, either traditional or spiral could fit within the setbacks. If the stairs were built within the setbacks and the driveway left alone no greenspace variance would be necessary.

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>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**

This application does not meet the defined criteria for a variance. There is clearly no hardship as the lot is fully developed. The addition of the second floor is allowed and will fit within the setbacks and there is room within the setbacks to install the required stairs. The loss of greenspace is caused by the addition of the wider driveway and stairway.

*This Staff Report was prepared by George Shaw.*

**ATTACHMENTS**

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

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



**CITY OF TYBEE ISLAND**  
**VARIANCE APPLICATION from the Tybee Island Land Development Code**

Applicant: Jeff Cramer

Telephone #: 912-786-7945 Email Address: diversifieddesigns@outlook.com  
912-412-3333

Mailing Address 11 JONES AVE. TYBEE ISLAND, GA. 31328

\*Note: If the applicant is not the property owner as listed on the property deed, a letter from the listed owner(s), including a telephone number and address along with any other relevant information, authorizing the applicant to act in their behalf must be included in the application.

**PROCEDURE**

Application Requirements

All applications must be complete, including required supporting documents. **Drawings or surveys will be 11" X 17" or larger.** Incomplete applications will not be accepted and will delay review.

Application Deadline

Applications are due by 4:00 p.m. of the last day of the month before the next scheduled Planning Commission meeting.

Application Submittal

Return one copy of this completed application and all supporting documents to: Tybee Island Planning and Zoning, City Hall, 403 Butler Avenue / P.O. Box 2749 City of Tybee Island, GA 31328

Application Public Hearings

Applications will be heard at a public hearing before the Planning Commission on the third Monday of each month, followed by a final decision by City Council at another public hearing on the second Tuesday of the following month. Each hearing will be held at 7 p.m. at the Public Safety Building, 78 Van Horn Dr.

Property Address (Or General Location Description if no Address Assigned): \_\_\_\_\_

1209 Butler Ave. Tybee Island Ga. 31328

Tax Map/Parcel ID#: 40007 07008 Current Zoning: R-2

Existing use of Property: Residential

Proposed use of Property: Residential

Has the property been denied a variance in the past 12 months? If so, please provide brief details:

No.

## Variance Questionnaire:

1. Does the requested variance change the Tybee Island character designation for the property as described in the Master Plan? If so, provide a brief explanation.

No.

2. Please explain the purpose of the requested variance and the intended development of the subject property if the variance is granted.

The existing house is a single story home that does not fit the client's needs. The remodel being proposed will add on a second floor to the existing residence to allow for the mother to live with the clients. We have designed an interior staircase to allow the clients to go from the first level to the second level. A second staircase is not feasible in the interior spaces as it does not allow for the necessary space for the mother to live with them, a bedroom and bathroom.

3. Please explain the specific provision within the Tybee Island Land Development Code from which the variance is requested.

The variance request are building a 4'-8" set of steps inside the 10'-0" set back on the southern side of the property (Code SEC 3-090(2)) to meet the two stair requirement as stated in Code SEC 9-050(C). The exterior staircase helps with the interior floorplan and allows the clients to maximize the useable space.

4. Per the Tybee Island Land Development Code, the Tybee Island Planning Commission shall not make a recommendation on a variance from the terms of the Land Development Code unless it has met the following. Please explain how the requested variance meets each of the following:

A. The need for a variance arises from the condition that is unique and peculiar to the land, structures and buildings involved.

To allow for the mother to live with the clients and have her own bedroom and bathroom area.

B. The variance is necessary because the particular physical surroundings, the size, shape or topographical condition of the property involved would result in unnecessary hardship for the owner, lessee or occupants as distinguished from a mere inconvenience.

No.

C. The condition requiring the requested relief is not ordinarily found in properties of the same zoning district as the subject property.

The condition is caused by the City of Tybee Ordinance requiring two sets of stairs (SEC 9-050(C)) in a house that originally does not have any. The code SEC 3-090(2) allows the zoning admin to allow a set of stairs built inside the setback zone.

D. The condition is created by the regulation in the Tybee Island Land Development Code and not by the action of the property owner or applicant.

Yes, the development code created the problem, not the property.

E. The granting of the requested variance will not conflict with Sec. 26-70-Amendments and modifications to the Fire Prevention Code of the Tybee Island Code of Ordinances or endanger the public.

No, we will add the required stairs in the setback which the neighbors support.  
Please reference pages 5-8 of this application.

F. The variance requested is the minimum variance that will make possible the reasonable use of the land, building or structures.

Yes, a 4'-8" staircase on the exterior of the residence inside the setback zone.

### **Adjacent Property Owners**

Please list all current owners of properties located immediately adjacent to or directly across the street from the subject property. This information may be obtained from the Chatham County Tax Assessor's office (912) 652-7271 or by using the website at [www.boa.chathamcounty.org](http://www.boa.chathamcounty.org). The accuracy and completeness of this information shall be the responsibility of the applicant.

Property owners name and mailing address:

1. 1201 Butler Ave. Hugh Mahany ✓ PO Box 18271 Savannah, GA. 31418
2. 1203 Butler Ave. Drexel Taylor ✓ 7 Horsepen Pt. Tybee Island, Ga. 31328  
PO Box 4149 Chattanooga,
3. 1205 Butler Ave. Town and Coastal LLC ✓ TN 37405
4. 1207 Butler Ave. Deloach & Tebeau Gregory ✓ 389 N Sutro Ter. Carson City,  
NV 89706
5. 1211 Butler Ave. Donna & Mark Burns ✓ 1 Carolines Retreat Savannah, Ga. 31406  
463 Johnny Mercer Blvd. Suite B7 #299
6. 1213 Butler Ave. Cline Clifford & Karen ✓ Savannah, Ga. 31410
7. 10 12th Terrace. Murray Klugman Po Box 1596 10 12th St.  
Tybee Island, GA. 31328
8. 8 12th Terrace. Brenda Feus Po Box 2965 Tybee Island, Ga. 31328
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_
21. \_\_\_\_\_



March 12, 2021


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

Ref: 1209 Butler Ave – Second set of stairs into setback

To Whom It May Concern:

I do not object to the 4.5 ft intrusion into the setback for the 2<sup>nd</sup> set of stairs required by the City of Tybee at 1209 Butler Ave.

Thank you,



Mark Burns

1211 Butler Ave  
Tybee Island, GA 31328

March 31, 2021.

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

Ref: 1209 Butler Ave – Second set of stairs into setback

To Whom it May Concern:

I do not object to the 4.5 ft intrusion into the setback for the 2<sup>nd</sup> set of stairs required by the City of Tybee at 1209 Butler Ave.

Thank you,

A handwritten signature in black ink, appearing to read 'Drexel Taylor', is written over the printed name.

Drexel Taylor

1203 Butler Ave  
Tybee Island, GA 31328

March 12, 2021

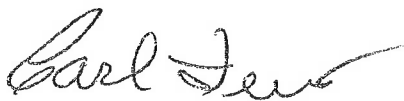
City of Tybee  
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Tybee Island, GA 31328

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I do not object to the 4.5 ft intrusion into the setback for the 2<sup>nd</sup> set of stairs required by the City of Tybee at 1209 Butler Ave.

Thank you,



Carl Feus



Brenda Feus

8 12<sup>th</sup> Terrace  
Tybee Island, GA 31328

March 12, 2021

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

Ref: 1209 Butler Ave – Second set of stairs into setback

To Whom It May Concern:

I do not object to the 4.5 ft intrusion into the setback for the 2<sup>nd</sup> set of stairs required by the City of Tybee at 1209 Butler Ave.

Thank you,

A handwritten signature in black ink, appearing to be 'Murray Klugman', with a large, stylized 'M' and 'K'.

Murray Klugman

10 12<sup>th</sup> Terrace  
Tybee Island, GA 31328

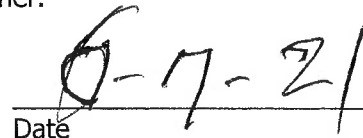
NOTE: This application must be accompanied by additional documentation, including drawings that include or illustrate the information outlined below.

- | <u>REFERENCE</u> | <u>DESCRIPTION</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5-040 (D) (1)    | Site plan and/or architectural rendering of the proposed development depicting the location of lot restrictions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 5-040 (D) (2)    | Narrative describing the hardship and the reason for the variance request. ( <i>Hardship means the circumstances where special conditions, which were not self-created or created by a prior owner, affect a particular property and make strict conformity with the restrictions governing dimensional standards (such as lot area, width, setbacks, yard requirements, or building height) unnecessarily burdensome or unreasonable in light of the purpose of this code. Unnecessary hardship is present only where, in the absence of a variance, no feasible use can be made of the property.</i> )<br>Explain the hardship: _____<br>The client is adding on a second floor to their home to allow for the client's mother to live with them. Whe adding in a second interior staircase, there is no longer room for the client's mother to have a bedroom and bathroom. |
| 5-040 (D) (3)    | A survey of the property signed and stamped by a State of Georgia certified land surveyor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 5-090 (A) (1)    | That there are unique physical circumstances or conditions beyond that of surrounding properties, including:<br><div style="margin-left: 40px;"> <input type="checkbox"/> irregularity;<br/> <input type="checkbox"/> narrowness; or,<br/> <input type="checkbox"/> shallowness of the lot shape; or,<br/> <input type="checkbox"/> exceptional topographical or other physical circumstances, conditions, or considerations related to the environment, or the safety, or to historical significance, that is peculiar to the particular property; and; </div>                                                                                                                                                                                                                                                                                                                |
| 5-090 (A) (2)    | Because of such physical circumstances or conditions, the property cannot be developed in strict conformity with the provisions of the Land Development Code, without undue hardship to the property.<br><u>NOTE: Provide attachments illustrating conditions on surrounding properties and on the subject property, indicating uniqueness, etc.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 5-090 (B)        | <i>Height.</i> No part of any structure shall project beyond 35-feet above the average adjacent grade of a property except:<br>(1) See <u>section 2-010</u> , terms and definitions; height of building.<br>(2) The following items that were existing on the date of the adoption of this section; flag poles, television aerials, water towers and tanks, steeples and bell towers, broadcasting and relay towers, transmission line towers, and electric substation structures.                                                                                                                                                                                                                                                                                                                                                                                             |

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



Signature of Applicant



Date

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

**CERTIFICATION AND AUTHORIZATION**

I hereby certify that, to the best of my knowledge and belief, the above listed information and all attached supporting documents are complete and accurate. I understand that this application will require public hearings by the Tybee Island Planning Commission and City Council. I have been made aware and I hereby acknowledge the scheduled hearing dates/times and location where this application will be considered. I also understand that review of this application will require a site visit, and I hereby authorize City staff and members of the Planning Commission and City Council to inspect the property which is the subject of this application.

Signature of  
Applicant



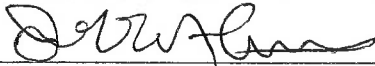
Date

6-7-21

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 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:

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

Disclosure of campaign contributions form attachment hereto: ☐ Yes



Signature of Applicant

6-7-21

Date

**STAFF USE ONLY**

Date received: \_\_\_\_\_ Received by \_\_\_\_\_

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

**PUBLIC HEARING DATES:**

Planning Commission \_\_\_\_\_ City Council \_\_\_\_\_

DECISION: (Circle One)      Approved      Denied

Approved with Conditions: \_\_\_\_\_



## CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONSDISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES \_\_\_\_\_

NO ☒ \_\_\_\_\_

IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

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

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

Signature \_\_\_\_\_

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

Date \_\_\_\_\_

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

- (A) *Standards.* After an application has been submitted to the zoning administrator, reviewed by the planning commission, and a public hearing has been held by the mayor and council, the mayor and council may grant a variance from the strict application of the provisions in this Land Development Code only if the following findings are made:
- (1) That there are unique physical circumstances or conditions beyond that of surrounding properties, including irregularity, narrowness, or shallowness of the lot size or shape, or exceptional topographical or other physical conditions, peculiar to the particular property; and,
  - (2) That because of such physical circumstances or conditions, the property cannot be developed in strict conformity with the provisions of this Land Development Code, without undue hardship to the property.
- (B) *Height variances.* For height variances, in addition to other requirements, the petitioner shall be required to add two feet to each side yard setback for each one foot above 35 feet in height and have safe-guard consisting of sprinkler systems, smoke detectors and any other fire protection equipment deemed necessary at the time by mayor and council. Where a rear yard abuts a side yard of the adjacent lot, the petitioner shall be required to add two feet to the rear setback for each foot above the 35 feet height, and have safe-guards consisting of sprinkler systems, smoke detectors, and any other fire protection deemed necessary at the time by mayor and council.
- (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 staff, planning commission, and governing body, shall consider the factors stated herein in reviewing variance applications in taking action on a particular variance. In exercising the powers to grant variances, the mayor and council may attach any conditions to its approval which it finds necessary to accomplish the reasonable application of the requirements of these regulations.
- (E) *[Application approval.]* Notwithstanding any other provisions of the Code of Ordinances, the staff of the community development department through its department head may approve applications for variances without the need of public hearings and without the need of review by the planning commission or the mayor and council as follows:
- I. When either of the following circumstances exists:
    - a. The proposed improvement of alteration will not result in an expansion of the existing footprint of the existing structure; or
    - b. No additional encroachment into any setback shall be created by the proposed improvement, construction or addition.
  - II. When each of the following circumstances also exists:
    - a. No encroachment or construction of habitable space or other prohibited improvements will exist beyond the flood elevation; and
    - b. The requested improvements or construction will not violate existing zoning provisions.

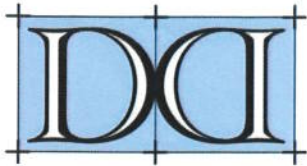
This subsection shall have specific application to existing nonconforming structures as referred to in section 3-020.

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

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

(Ord. No. 1999-27, 8-12-1999; Ord. No. 2002-08, 5-9-2002; Ord. No. 2002-08 Variances, amended 8-29-2001; Ord. of 8-11-2005; Ord. No.14-2010, 8-26-2010; Ord. No. 57-A-2014, § 1, 12-11-2014)





DIVERSIFIED DESIGNS, P.C.

11 Jones Avenue  
Tybee Island GA 31328

T 912.786.7945  
F 912.786.7943  
[diversifieddesigns@outlook.com](mailto:diversifieddesigns@outlook.com)

June 3, 2021

RE: Encroachment into the 10'-0" south yard setback  
for a 4'-8" exterior stairs for 1209 Butler Ave.

Tybee Island Planning and Zoning,

We are applying for a variance for 1209 Butler Ave. for a second set of stairs per  
**Article 9: Building Regulations Sec.9-050(c).**

City of Tybee Municipal Codes: Two sets of Residential Stairs

**Article 9 Sec.9-050**

(C) Adopted in addition to the technical codes of subsection (A) is a local requirement that a minimum of two means of egress shall be provided in every building or structure and/or section, and area, including one- and two-family dwellings, where size and/or occupancy, and/or arrangement endanger occupants attempting to use a single means of egress that is blocked by fire or smoke. The two means of egress shall be arranged to minimize the possibility that both might be rendered impassable by the same emergency condition. The two means of egress from the first elevated floor to the ground level must be either standard or spiral stairways.

The reason we are applying for the variance is that we believe the zoning administrator can allow a second set of stairs to be built inside the setback for an existing elevated home or existing home to be elevated in the future.

City of Tybee Municipal Codes: Stairs in Setback

**Article 3: General Purposes Sec.3-090(2)**

A second set of stairs from an existing elevated home or existing home to be elevated in the future may encroach into the setback upon approval of the zoning administrator. The stairs shall encroach as little as possible into the setback"

The existing house at 1209 Butler Ave. is a single-story residence that no longer fits the client's needs. To accommodate this, we are renovating the first floor by demolishing existing Living Area and Kitchen and making this area into a two-car garage, adding in an interior staircase, and leaving existing bedrooms. The second floor, which is being built on top of the first floor will have a Living Area, Kitchen, Master Bedroom and Mother-in-Law suit. **THE SECOND LEVEL OF THIS RESIDENCE IS THE LIVING AREA OF THE HOUSE.**

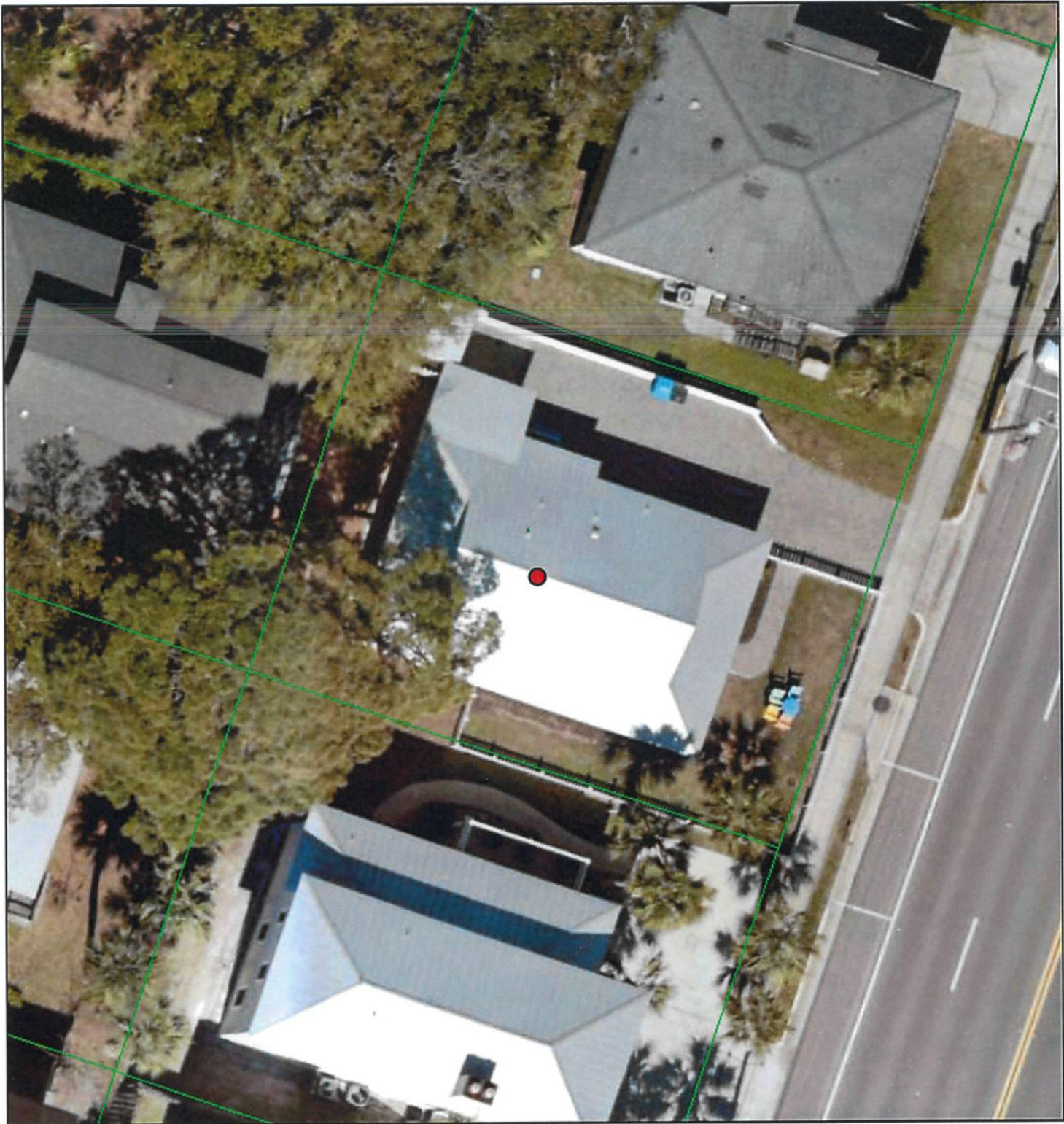
In order to fulfill the two-stair requirement, we are proposing one interior stair and one exterior stair. The interior stair is centrally located to the existing house plan and fits into the newly added second floor plan. The second staircase is proposed to go on the exterior of the house on the south side of the property inside the 10' setback zone. The proposed exterior stair will be a max of 4'-5" wide with the exterior posts being a max of 4'-8" from the house and the length is 16'8". The proposed exterior staircase takes up 2.3% of the total setback. The exterior staircase location falls in line with the ordinance as the location chosen for the exterior staircase does not create an impassable condition of egress. The existing neighbors have signed a letter saying that they do not object to the stairs being placed in the setback. (see application pages 5-8),

**We believe that by demolishing the Living Area and Kitchen from the ground level and elevating it to the second level. We are raising the living area of the house to the second level. No different than elevating an existing house to the second level as the code states.**

We humbly request the zoning administrator and planning commission to grant us permission to add this second set of sets into the setback.

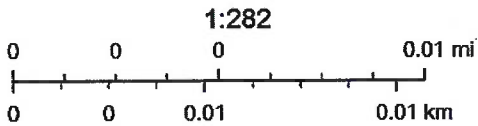
Regards.

Jeff Cramer



5/4/2021, 9:27:01 AM

 Property Boundaries (Parcels)



SAGIS



Google Maps 1210 US-80

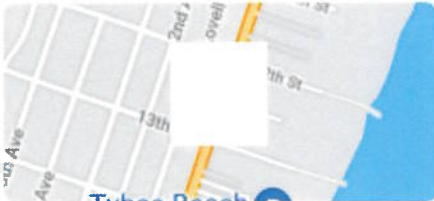


Image capture: May 2019 © 2021 Google

Tybee Island, Georgia

Google

Street View



**Lisa Schaaf**

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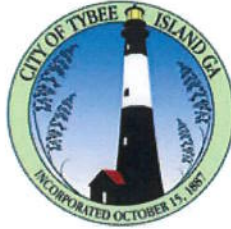
**From:** Downer Davis <dkdjr071419@yahoo.com>  
**Sent:** Wednesday, May 5, 2021 8:34 AM  
**To:** George Shaw; Lisa Schaaf; Peter Gulbranson  
**Subject:** Drainage plan requirements `1209 Butler

George,

If the steps & deck/landing will be typical wooden with the gaps in them (between boards), as usual no drainage plan will be recommended by me.

As for the paving in the front, as it's less than 50% of the existing driveway and drains to Butler, the permeable pavers are not required by me.

Downer



## PLANNING COMMISSION NOTICE OF DETERMINATION

Meeting date: May 17, 2021

Project Name/Description: build second set of stairs in setback after addition and reduce greenspace-1209 Butler Ave.-40007 07008-Zone R-2-Jeff Cramer.

Action Requested: Variance

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

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

The Planning Commission Motion on Petition: ☐ Approval ☐ Denial ☒ Continued

### Action on Motion:

COMMISSIONER	FOR	AGAINST	COMMENTS
Bishop			CHAIR
Bossick	X		VICE CHAIR
Gooding	X		
Hill	X		
McGruder	X		SECOND
McNaughton	X		MOTION
Reynolds	X		

Planning Commission Chair:

Date: 6-2-2021

Planning & Zoning Manager:

Date: 6-2-2021

PARID: 40007 07008

WILSON JAMES M &amp; DONNA J\*

1209 BUTLER AVE

**Most Current Owner**

Current Owner	Co-Owner	Care Of	Mailing Address
WILSON JAMES M & DONNA J*			263 STEEPLE CHASE LN RICHMOND HILL GA 31329

**Digest Owner (January 1)**

Owner	Co-Owner	Address 1	Address 2	City	State	Zip
WILSON JAMES M & DONNA J*		263 STEEPLE CHASE LN		RICHMOND HILL	GA	31329

**Parcel**

Status	ACTIVE
Parcel ID	40007 07008
Category Code	RES - Residential
Bill #	2975136
Address	1209 BUTLER AVE
Unit # / Suite	
City	TYBEE ISLAND
Zip Code	31328-
Neighborhood	20216.00 - T216 TYBEE BTL WEST
Total Units	
Zoning	R-2
Class	R3 - Residential Lots
Appeal Status	

**Legal Description**

Legal Description	LT 5A WD 4 TYBEE
Deed Book	391X
Deed Page	191

**Permits**

Permit #	Permit Date	Status	Type	Amount
150276-4	05/15/2015	Complete	GM - GENERAL MAINT.	\$7,000.00
140436-3	06/17/2014	Complete	GM - GENERAL MAINT.	\$300.00
11-0042-2	01/31/2011	Complete	RF - ROOF	\$5,800.00
97-00165-1	06/25/1997	Complete	-	\$950.00

**Inspection**

Inspection Date	Reviewer ID
03/10/2020	RKRYZAK
02/03/2016	MWTHOMAS
06/11/2014	MWTHOMAS
12/13/2013	MWTHOMAS
12/20/2011	MWTHOMAS

### Appraised Values

Tax Year	Land	Building	Appraised Total	Reason
2020	175,100	156,100	331,200	
2019	175,100	152,300	327,400	
2018	175,100	149,100	324,200	
2017	175,100	138,900	314,000	
2016	175,100	137,200	312,300	
2015	175,100	141,200	316,300	
2014	175,100	141,900	317,000	
2013	175,100	110,600	285,700	
2012	175,100	102,200	277,300	

### Sales

Sale Date	Sale Price	Sale Validity	Instrument	Book - Page	Grantor	Grantee
10/11/2013	360,000	Q	WD	391X - 191	PIRONE MICHAEL D & TRICIA L*	WILSON JAMES M & DONNA J*
03/09/2004	341,500	Q	NA	266X - 0566	COOK IRENE WEBB	PIRONE MICHAEL D & TRICIA
03/28/1994	0	U	NA	166E - 0048	COOK CANN JR & IRENE W	COOK IRENE WEBB
03/01/1991	81,000	U		-		
07/01/1984	21,000	Q		-		

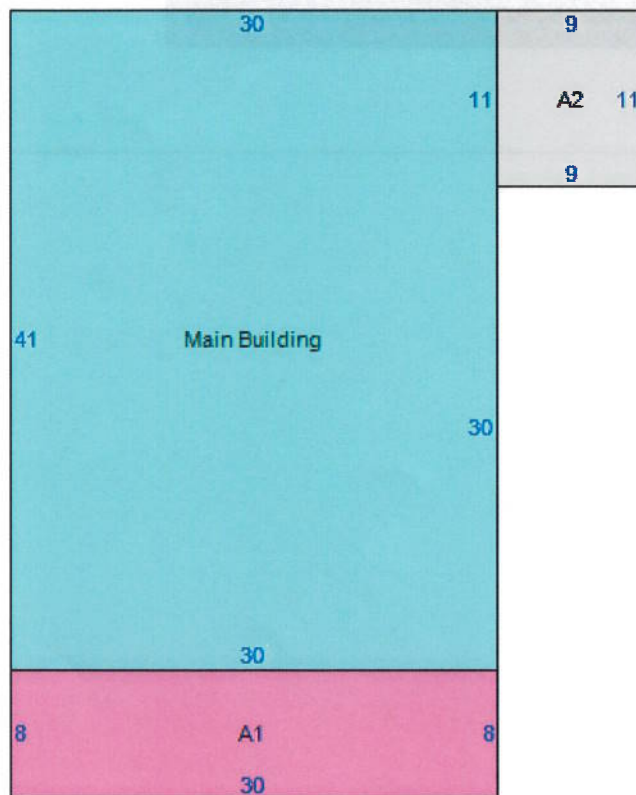
### Land

Line Number	1
Land Type	U - UNIT
Land Code	01 - SINGLE FAMILY RES
Square Feet	0
Acres	0
Influence Factor 1	
Influence Reason 1	
Influence Factor 2	
Influence Reason 2	



**Residential Building**

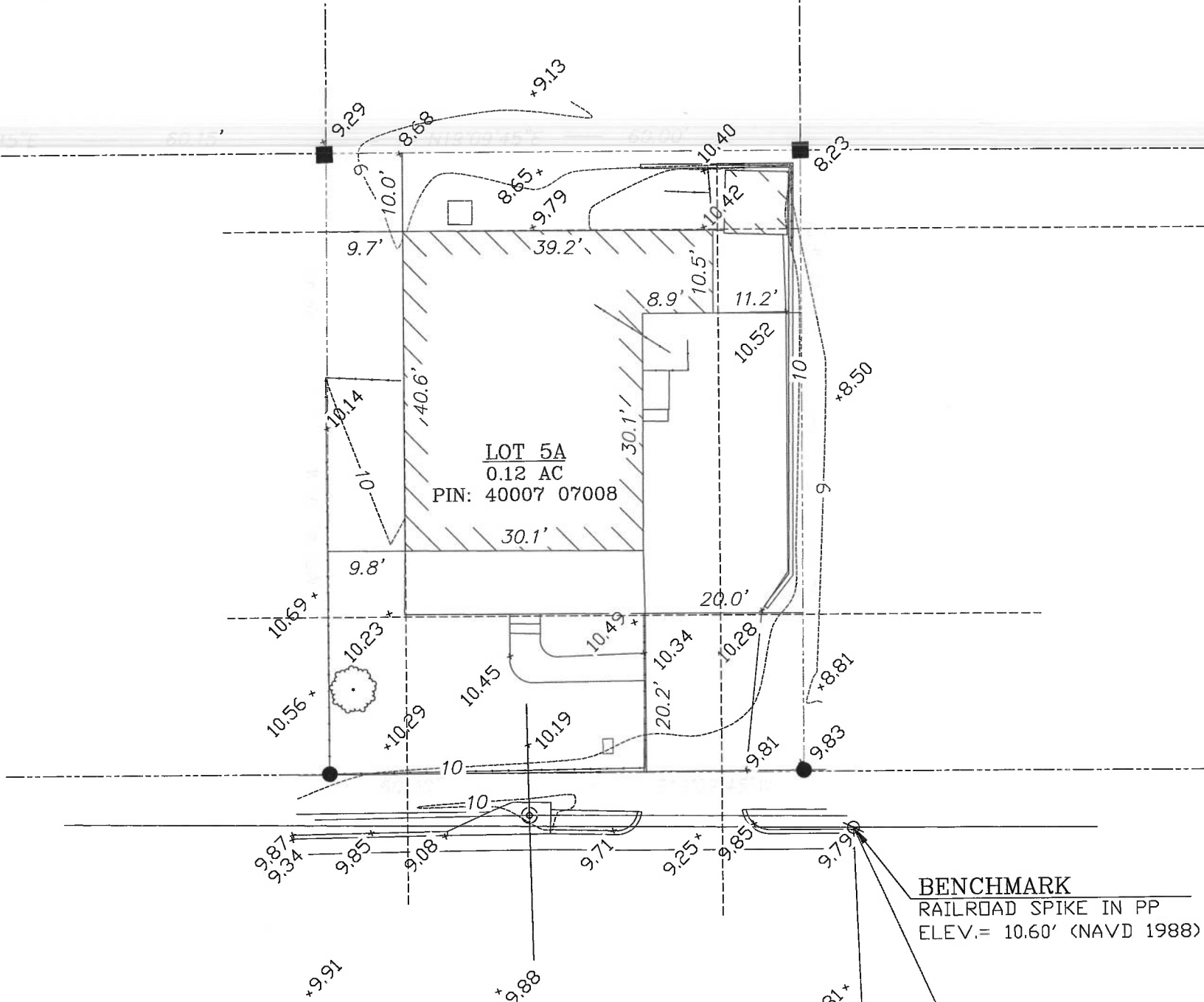
Card # 1  
 Actual Year Built 1990  
 Effective Year Built  
 Type 1 - Single Family Residence  
 Style/Stories 1 - ONE STORY  
 Percent Complete 100  
 Quality 300  
 Condition AV - AVERAGE  
 Living Area 1,230  
 Basement Area 0  
 Finished Basement Area No  
 Bedrooms 3  
 Full / Half Baths 2 / 0



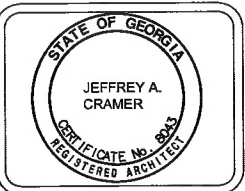
Item	Area
Main Building	1230
A1 - 907:907-Enclosed Porch (SF), Scree	240
A2 - 909:909-Enclosed Porch (SF), Solid	99



TOTAL SETBACK S.F. = 2,786 S.F.  
EXISTING USED SETBACK S.F. = 973  
S.F. 65%



BUTLER AVENUE (U.S. HWY 80) 80' R/W  
EXISTING SURVEY



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EMAIL: ddesigns@belleair.net  
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(912)786-7944 (912)786-7943 FAX

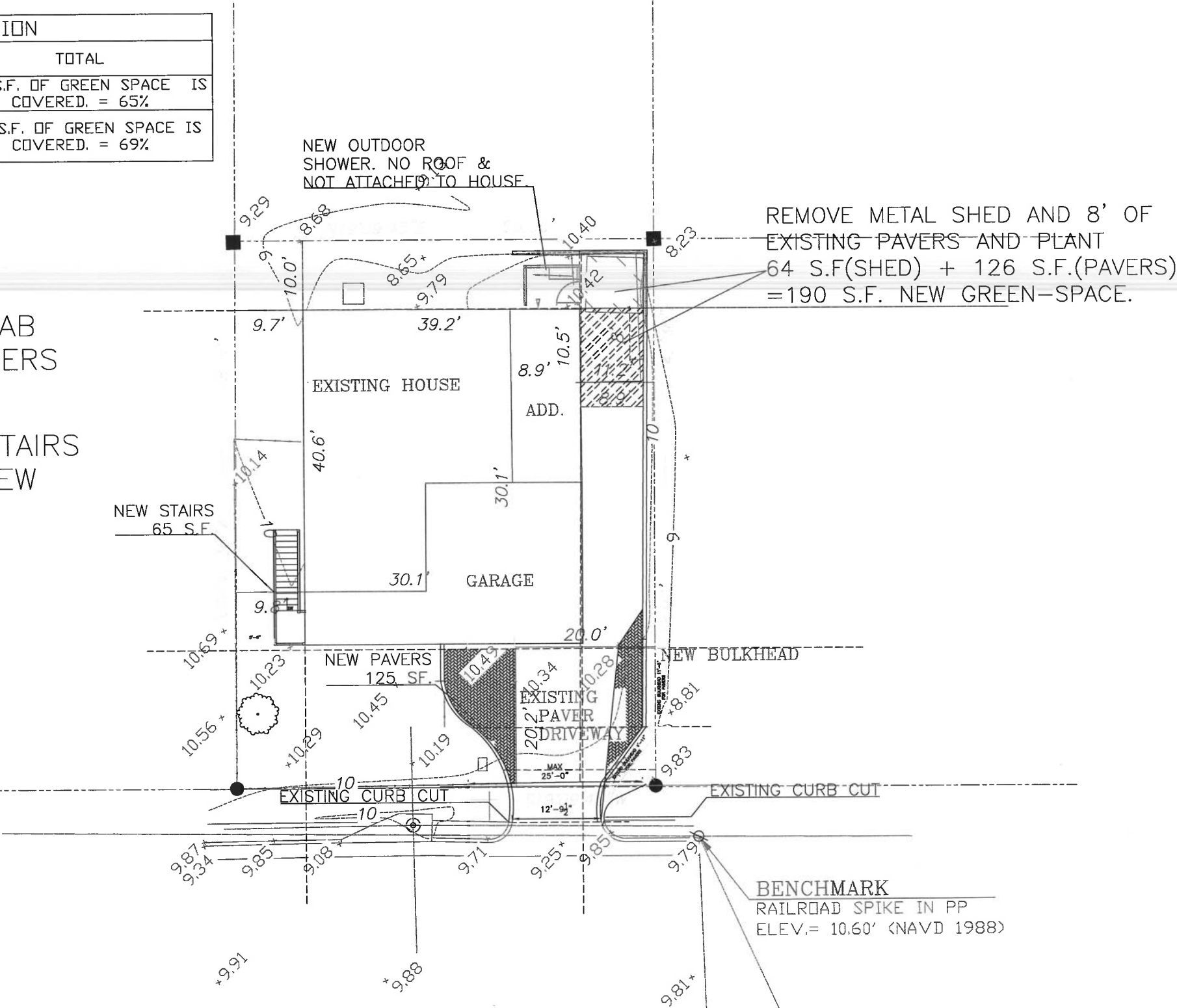
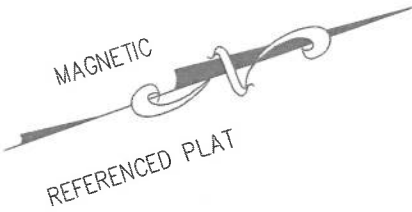
**WILSON RESIDENCE  
1209 BUTLER AVE.  
TYBEE ISLAND, GA**

DRAWN BY: TLH
CHECKED BY:
DATE: 04/27/2021
SCALE: 1/8"=1'-0"
PROJECT# 00_000_00
<b>PERMIT C-1</b>

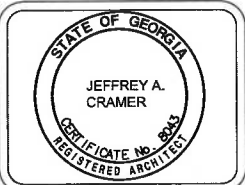
GREEN-SPACE CALCULATION		
		TOTAL
EXISTING		973 S.F. OF GREEN SPACE IS COVERED. = 65%
PROPOSED GREEN-SPACE NEW DRIVEWAY AND STAIRS		870 S.F. OF GREEN SPACE IS COVERED. = 69%

REMOVE: TOTAL: 190 S.F.  
64 S.F. METAL SHED & SLAB  
126 S.F. OF DRIVEWAY PAVERS

ADD: TOTAL: 190 S.F.  
65 S.F. SECOND SET OF STAIRS  
125 S.F. OF PAVERS TO NEW DRIVEWAY



PROPOSED SITE PLAN



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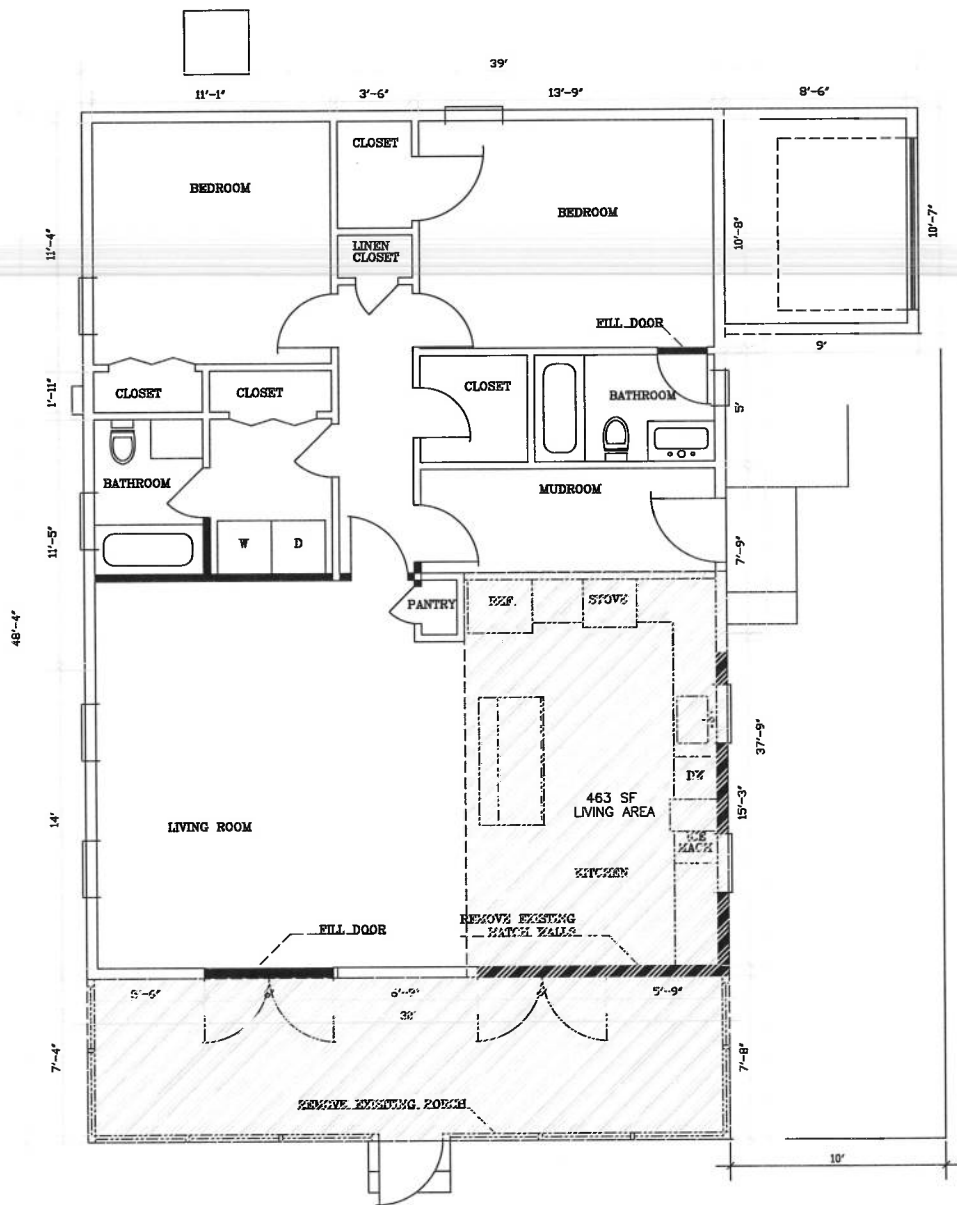
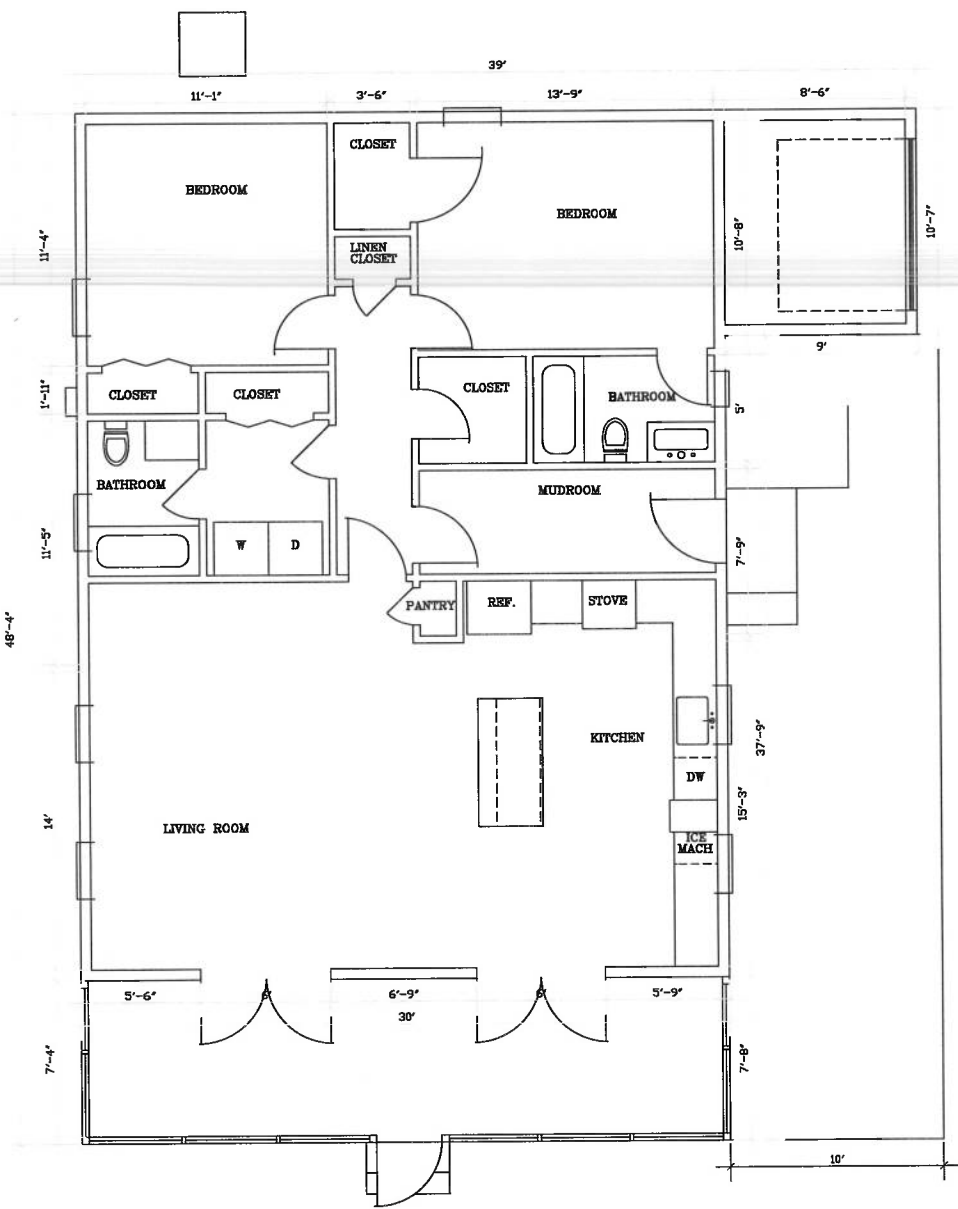
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(912) 786-7944 (912) 786-7943 FAX

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1209 BUTLER AVE.  
TYBEE ISLAND, GA**

DRAWN BY: TLH  
CHECKED BY:  
DATE: 04/21/2021  
SCALE: 1/8"=1'-0"  
PROJECT# 00\_000\_00

PERMIT  
C-2



DEMO 463 SQ (38%) OF  
EXISTING GROUND LEVEL SPACE  
FOR STORAGE & GARAGE

STATE OF GEORGIA

JEFFREY A. CRAMER

CERTIFICATE NO. 9043

REGISTERED ARCHITECT

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(912)786-7944 (912)786-7943 FAX

WILSON RESIDENCE

1209 BUTLER AVE.

TYBEE ISLAND, GA

DRAWN BY: Taylor Hankinson

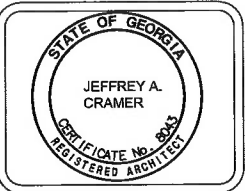
CHECKED BY:

DATE: 01/28/2021

SCALE: 1/8"=1'-0"

PROJECT# 00\_000\_00

PERMIT  
V-1



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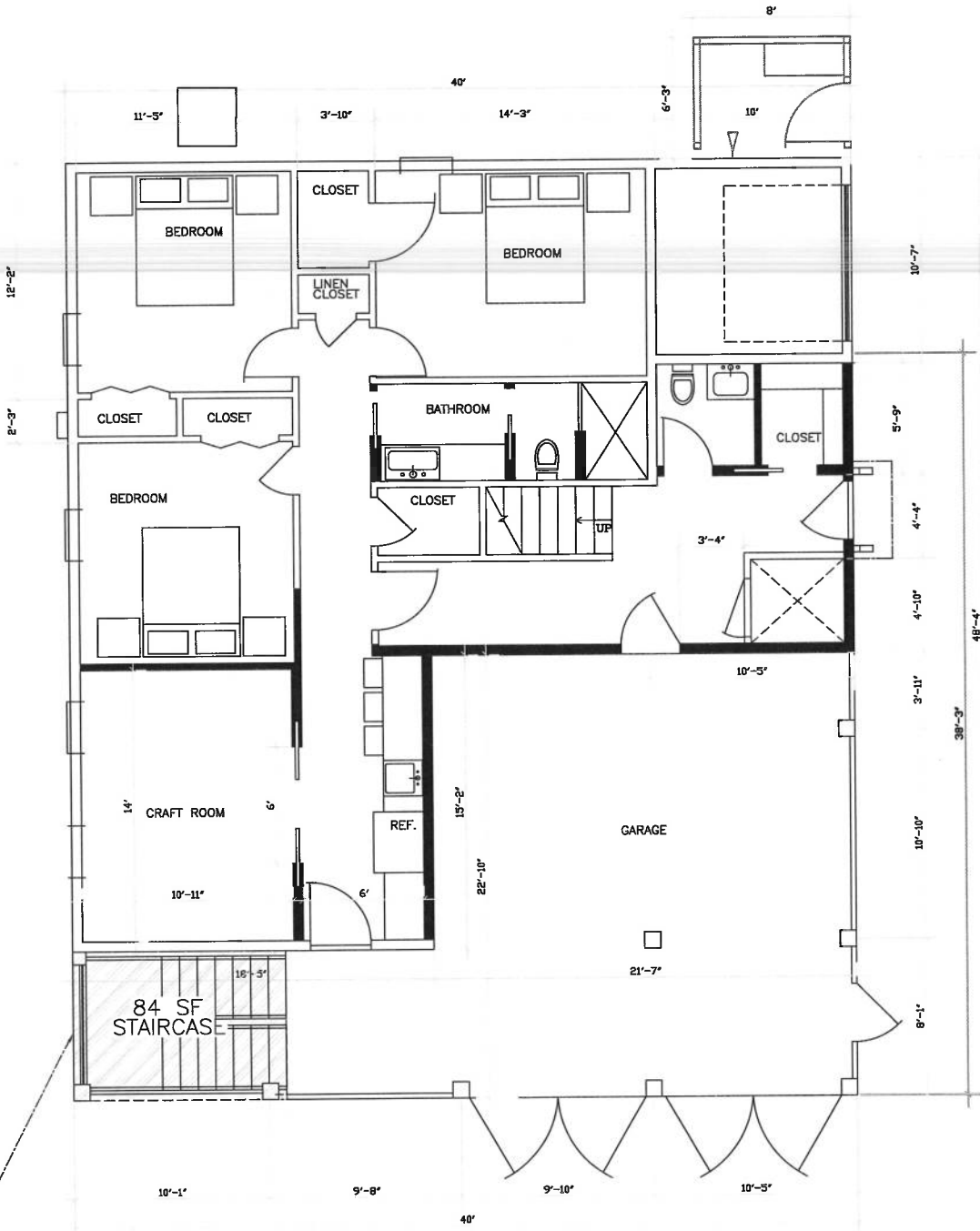
REVISIONS

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(912)786-7944 (912)786-7943 FAX

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1209 BUTLER AVE.  
TYBEE ISLAND, GA**

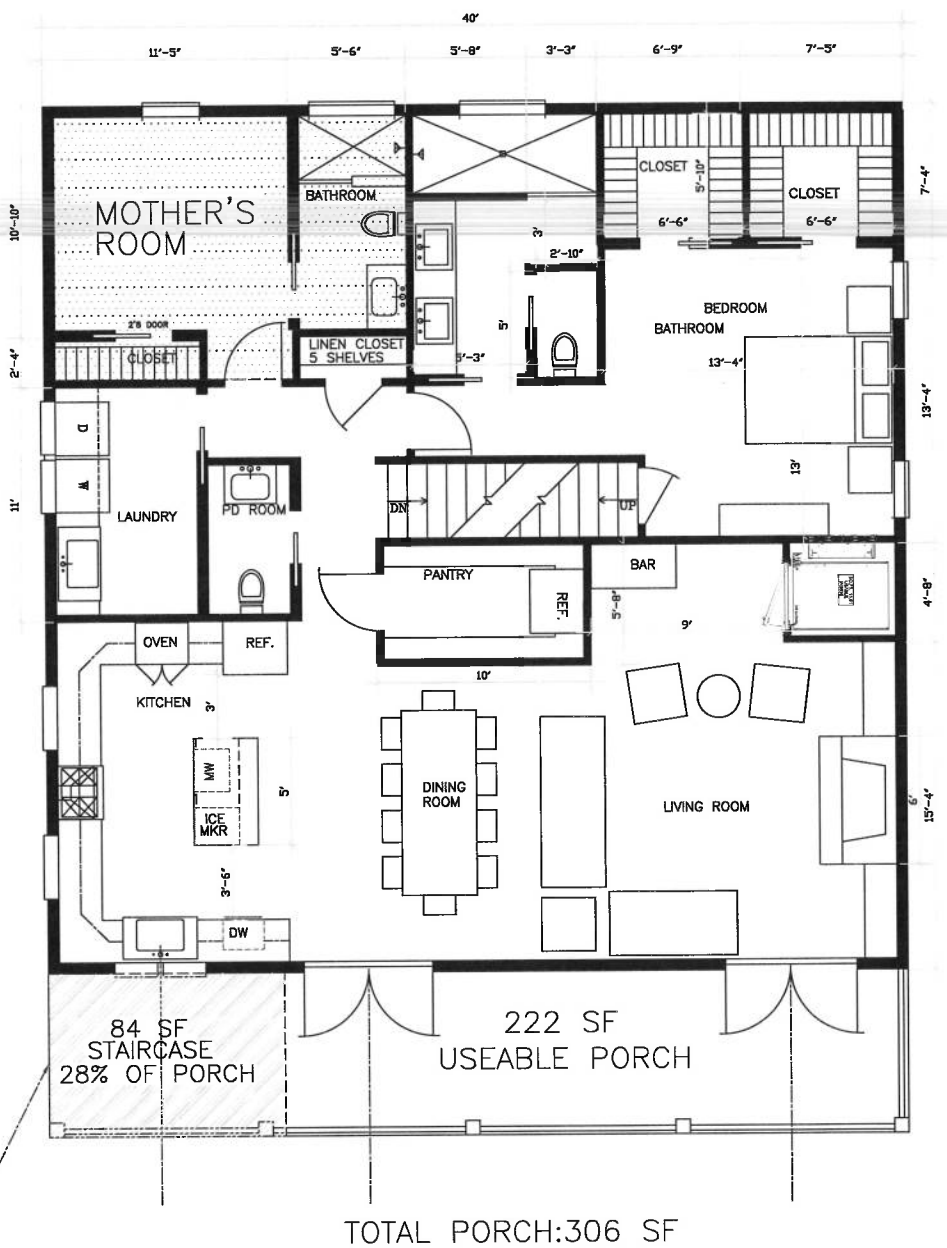
DRAWN BY: Taylor Hankinson  
CHECKED BY:  
DATE: 08/10/2021  
SCALE: 1/8"=1'-0"  
PROJECT# 00\_000\_00

**PERMIT  
V-2**



STAIRS TAKE UP 84 S.F. OF VALUABLE STORAGE SPACE.

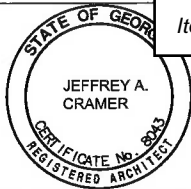
PROPOSED FIRST FLOOR PLAN : 1184 SF



28% OF NEW PORCH TAKEN UP WITH 2ND STAIRS IF REQUIRED IN BLDG. FOOTPRINT.

PROPOSED SECOND FLOOR PLAN : 1627 SF





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(912)786-7944 (912)786-7943 FAX

WILSON RESIDENCE  
1209 BUTLER AVE.  
TYBEE ISLAND, GA

DRAWN BY: Taylor Hankinson  
CHECKED BY:  
DATE: 06/10/2021  
SCALE: 1/8"=1'-0"  
PROJECT# 00\_000\_00

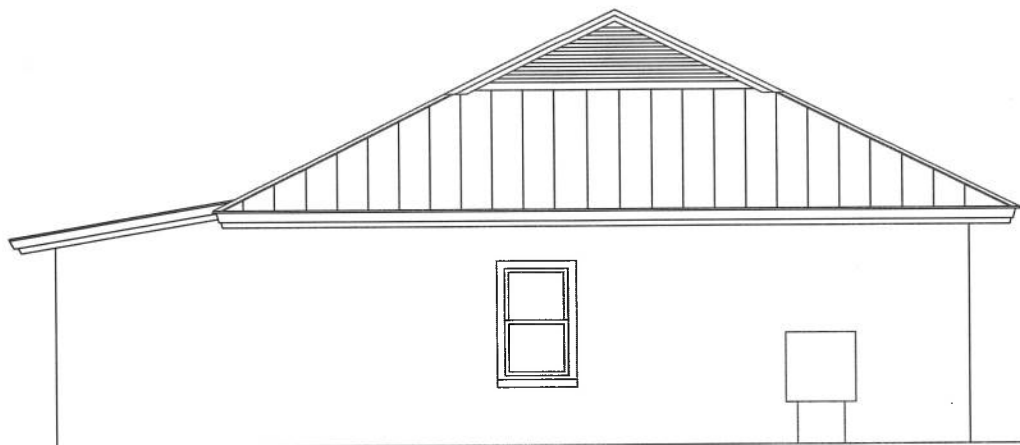
PERMIT  
V-3



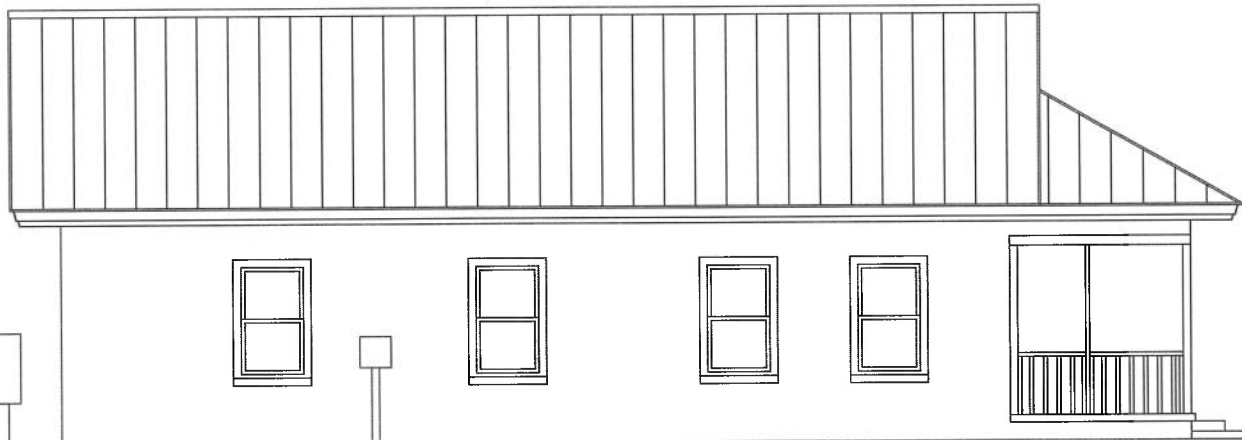
EXISTING FRONT ELEVATION



EXISTING RIGHT ELEVATION



EXISTING REAR ELEVATION



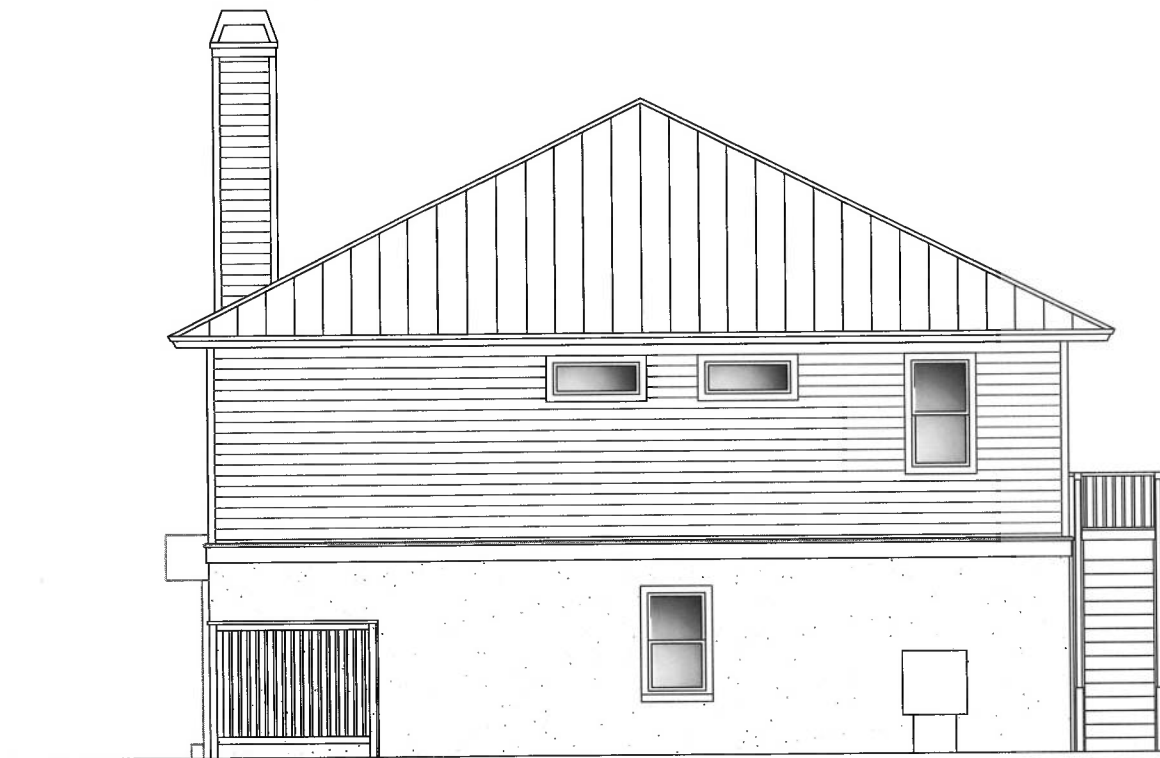
EXISTING LEFT ELEVATION



BUTLER AVE. ELEVATION



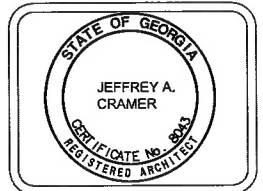
RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



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**WILSON RESIDENCE**  
**1209 BUTLER AVE.**  
**TYBEE ISLAND, GA**

DRAWN BY: Taylor Hankinson  
CHECKED BY:  
DATE: 06/10/2021  
SCALE: 1/4"=1'-0"  
PROJECT# 00\_000\_00

**PERMIT**  
**V-4**





## STAFF REPORT

PLANNING COMMISSION MEETING: June 21, 2021

CITY COUNCIL MEETING: July 8, 2021

LOCATION: 106 S. Campbell Ave.

PIN: 40003 04006

APPLICANT: Ricardo Ochoa

OWNER: Ricardo Ochoa

EXISTING USE: Commercial

PROPOSED USE: Commercial

ZONING: C-2

PROPOSED ZONING: C-2

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Commercial Gateway

APPLICATION: Site plan review

PROPOSAL: The applicant requests site plan approval to add walk in cooler, small roof and renovate deck.

ANALYSIS: The addition of the larger roof in the back will reduce the parking by one space. Based on 46 seats and six employees sufficient parking remains. Site plan shows dumpster, grease bin, propane tanks and smoker. Overall this is a minor site change.

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

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

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

STAFF FINDING

Staff recommends approval.

*This Staff Report was prepared by George Shaw.*

ATTACHMENTS

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



# CITY OF TYBEE ISLAND SITE PLAN APPROVAL APPLICATION

**Fee**  
Commercial \$ Item #3.  
Residential \$250

Applicant's Name RICARDO A. OCHOA

Address and location of subject property 106 S. CAMPBELL AVE.

PIN 46003 04006 Applicant's Telephone Number 912-596-1360

Applicant's Mailing Address 12 ANDERSON CT TYBEE ISLAND, GA 31328

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

BUILDING A WALK-IN COOLER AND RENOVATING THE EXISTING DECK

Property Owner's Name JEN MYLO Telephone Number 503-740-5738

Property Owner's Address \_\_\_\_\_

Is Applicant the Property Owner? ☐ Yes ☒ No

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

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

Current Zoning of Property C-2 Current Use RESTAURANT

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] 4-29-21  
Signature of Applicant Date

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

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

City Official \_\_\_\_\_

NOTE: This application must be accompanied by following information:

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

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

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

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



Signature of Applicant

4-29-21

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 ☒ \_\_\_\_\_

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 \_\_\_\_\_

RICARDO A. OCHOA

Date \_\_\_\_\_

4-29-21

### **Sec. 5-080. - Site plan approval.**

Item #3.

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

STATE OF OHIO                     )  
                                               )  
 COUNTY OF WOOD                 )

**AFFIDAVIT OF JENIFER MYLO**

Personally appeared before me, Jenifer Mylo, who being first duly sworn, deposes and says:

1. I am of the age of majority and am laboring under no disabilities and am otherwise competent in all respects to give this Affidavit. This Affidavit is given from my own personal knowledge.

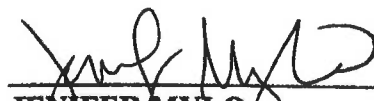
2. I am the record owner of real property located at 106 South Campbell Avenue, Tybee Island, Chatham County, Georgia (the "Property").

3. Currently, I am leasing the Property to Sea Wolf Tybee, LLC.

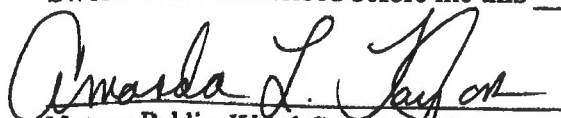
4. Sea Wolf Tybee, LLC has requested my consent for it to construct an addition on the Property for a walk-in cooler.

5. I have given my consent to Sea Wolf Tybee, LLC for its construction of this addition.

Further affiant sayeth naught. This 9<sup>th</sup> day of April, 2021.

  
 JENIFER MYLO

Sworn to and subscribed before me this 9 of April, 2021.

  
 Notary Public, Wood County, Ohio  
 My commission expires:



AMANDA L. TAYLOR  
 Notary Public, State of Ohio  
 My Comm. Expires April 9, 2022  
 Recorded in Wood County

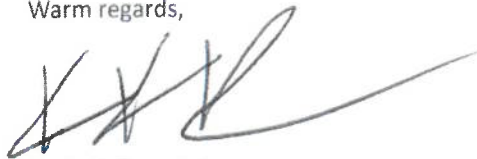
**George Shaw**

Zoning Administrator Tybee Island

Dear **George Shaw**,

The proposed restoration work and addition of a walk-in cooler to Seawolf at 106 South Campbell Avenue will have no impact on the drainage of the property or impact the neighboring properties in any way. The placement of the cooler will allow the same percolation and drainage patterns to remain as they are currently. Any future work beyond this phase will include a full drainage study and plan as required by the City of Tybee.

Warm regards,



Kevin F. Rose AIA

4.14.2021

ARCHITECT



**From:** Downer Davis <[dkdjr071419@yahoo.com](mailto:dkdjr071419@yahoo.com)>

**Sent:** Friday, May 7, 2021 10:34 AM

**To:** George Shaw <[gshaw@cityoftybee.org](mailto:gshaw@cityoftybee.org)>; Lisa Schaaf <[lschaaf@cityoftybee.org](mailto:lschaaf@cityoftybee.org)>; Peter Gulbranson <[peter.gulbranson@cityoftybee.org](mailto:peter.gulbranson@cityoftybee.org)>

**Subject:** Sea Wolf

I HAVE NOT COPIED THE ARCHITECT TO ALLOW FOR ANY CITY ADJUSTMENTS TO MY COMMENTS.

My response earlier today was based on the older A1.0 dated 01-22-21. Thanks for sending me the most recent one with the same sheet name and date. Now that I'm playing with a full deck, I'll offer the following updated comments.

The first business I was aware of on this site was a restaurant (some years after I began reviewing plans for the City). My services were not requested for that review. My comments would have been similar if I had. The later conversion to the gaming rooms did not propose any outdoor activity or increased parking requirements. My first involvement with this project is when we visited the site late last year. My recollection is only of the walk in cooler, but as no notes were taken or offered, feel free to correct me.

## ADA

- It is my belief that necessary retrofits to meet the requirements of the ADA were not made when the restaurant first opened. The ADA requirements are the only building code that I'm aware of that appear both in building codes and as a civil rights law. The ADA appeared in Federal Law and GA Building Codes around 30 or more years ago; long before any of the above described events. Based on my knowledge, I am not prepared to concur with the plan as presented. If the City or the Architect is aware of allowances for waiver of ADA requirements, I'd appreciate the knowledge.
- The current width of HCP'd space is 14'. The width of the required Van Accessible space would be 16'.
- As for saving trees, in particular the Oak, accurate location and topo would be most useful. Regarding paving surfaces over roots, in some circumstances, other municipalities have allowed permeable brick pavers (there are some that are ADA compliant) and other porous surfaces over root zones. In such circumstances (as both reviewer or designer) I have always followed the

Google Maps 105 S Campbell Ave

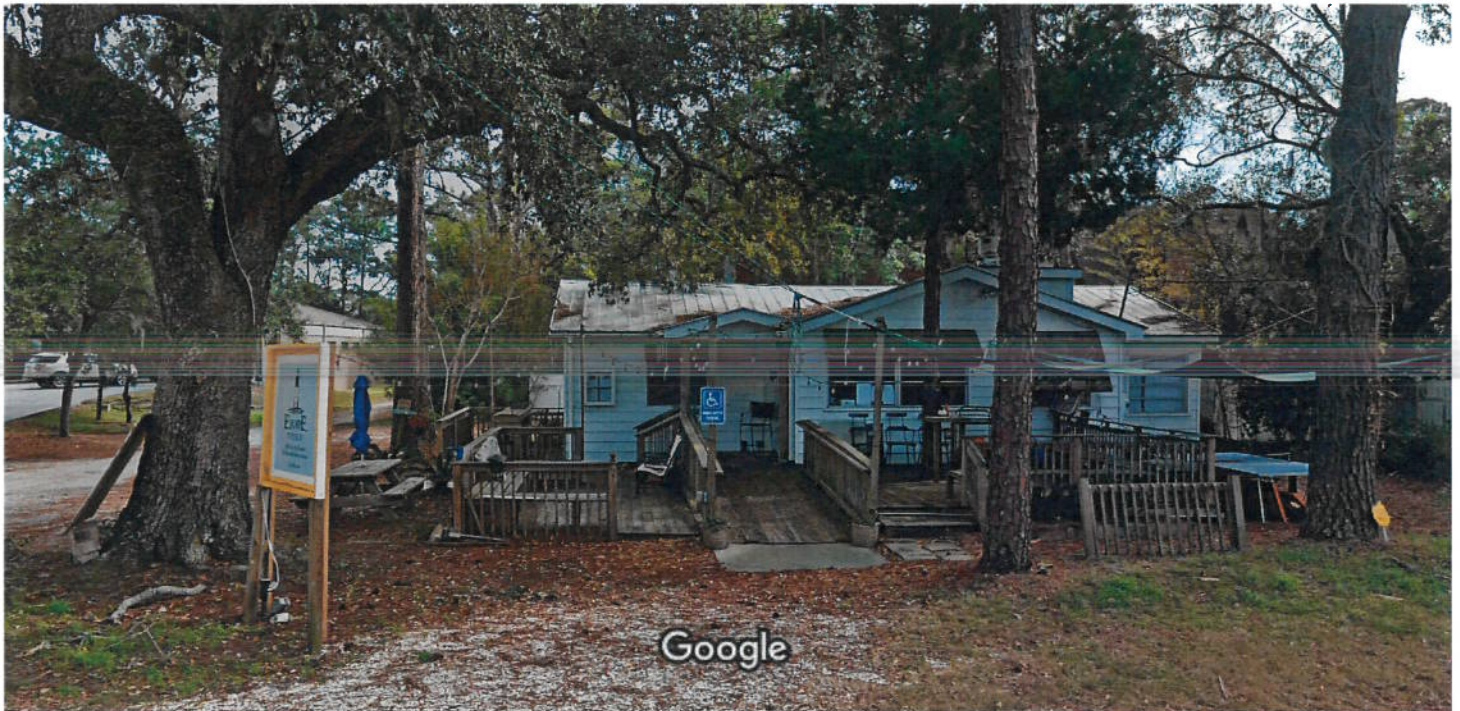
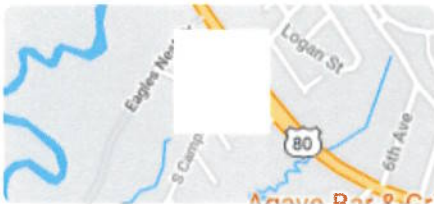


Image capture: Jan 2019 © 2021 Google

Tybee Island, Georgia

Google

Street View





Google Maps 5 Linton St

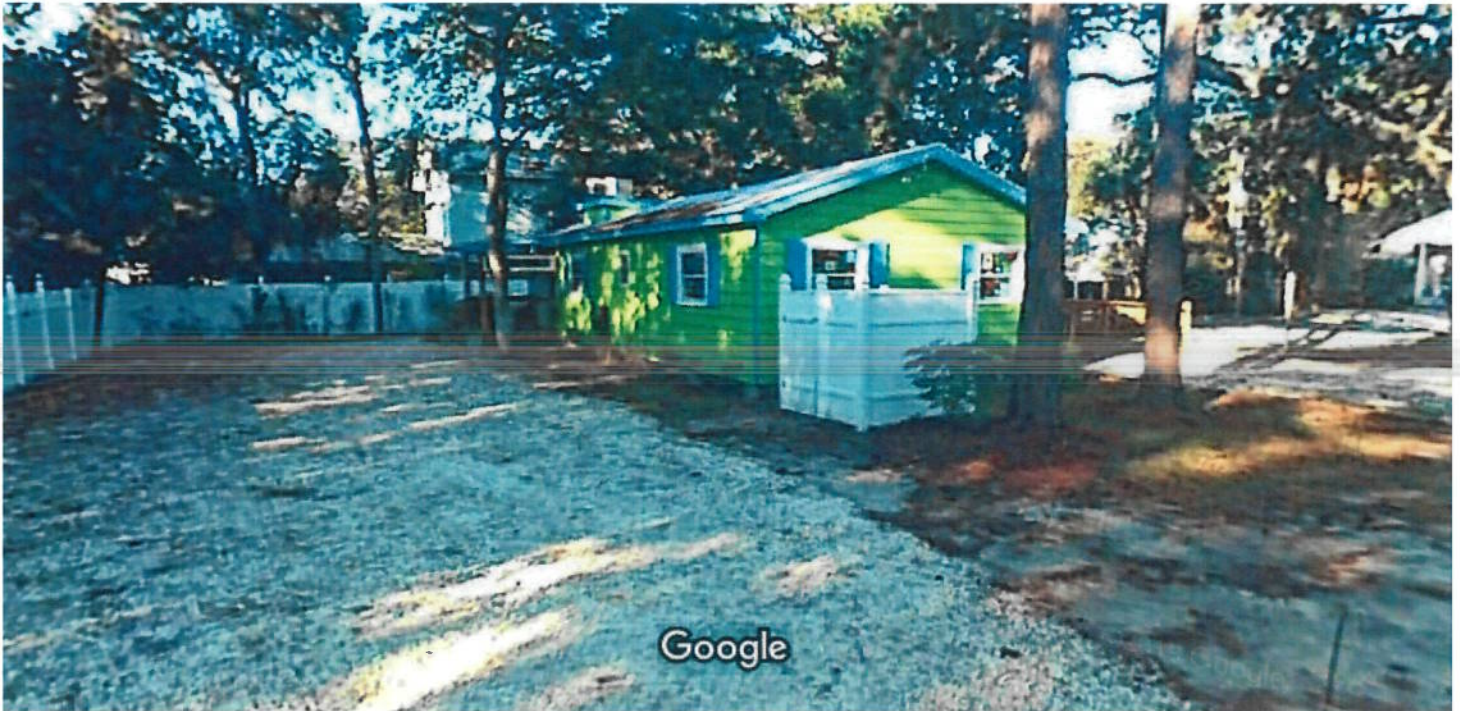
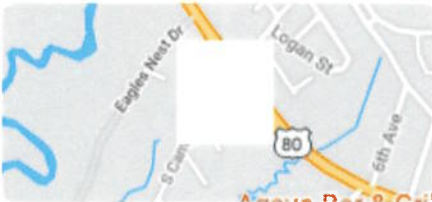


Image capture: Nov 2007 © 2021 Google

Tybee Island, Georgia

Google

Street View





## PLANNING COMMISSION NOTICE OF DETERMINATION

Meeting date: May 17, 2021

Project Name/Description: add walk in cooler & renovate deck-106 S. Campbell Ave-40003  
04006-Zone C-2-Ricardo A. Ochoa.

Action Requested: Site plan approval

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

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

The Planning Commission Motion on Petition: ☐ Approval ☐ Denial ☒ Continued

### Action on Motion:

COMMISSIONER	FOR	AGAINST	COMMENTS
Bishop			CHAIR
Bossick	X		VICE CHAIR
Gooding	X		
Hill	X		
McGruder	X		MOTION
McNaughton	X		SECOND
Reynolds	X		

Planning Commission Chair:

Date:

6/2/2021

Planning & Zoning Manager:

Date:

6-2-2021

PARID: 40003 04006  
JITTERBUG BAKERY LLC

106 CAMPBELL AVE S

### Most Current Owner

Current Owner	Co-Owner	Care Of	Mailing Address
JITTERBUG BAKERY LLC			1636 SE 52ND AVE PORTLAND OR 97215-3318

### Digest Owner (January 1)

Owner	Co-Owner	Address 1	Address 2	City	State	Zip
JITTERBUG BAKERY LLC		1636 SE 52ND AVE		PORTLAND	OR	97215

### Parcel

Status	ACTIVE
Parcel ID	40003 04006
Category Code	3531 - Retail Under 2,000 SF
Bill #	3029716
Address	106 S CAMPBELL AVE
Unit # / Suite	
City	TYBEE ISLAND
Zip Code	31328-
Neighborhood	20500.00 - T500 TYBEE TO BULL R
Total Units	
Zoning	C-2
Class	C3 - Commercial Lots
Appeal Status	

### Legal Description

Legal Description	LOTS 21 AND 22 PAMELA TERRACE SA VANNAH BEACH TYBEE ISLAND
Deed Book	376T
Deed Page	309

### Permits

Permit #	Permit Date	Status	Type	Amount
200440	09/21/2020	Complete	PL - PLUMBING	\$5,473.00
200028	01/17/2020	Complete	HT - HEAT/FURN/HVAC	\$6,000.00
120573-8	10/29/2012	Complete	-	\$1,380.00
120306-7	05/24/2012	Complete	EL - ELECTRIC	\$330.00
11-0285-6	05/13/2011	Complete	GM - GENERAL MAINT.	\$1,000.00

### Inspection

Inspection Date	Reviewer ID
04/01/2021	JCRAWFORD
01/06/2016	VMMCCUEN
02/07/2013	VMMCCUEN
12/29/2011	ALCUMMIN
05/21/2007	AVMARCAN

**Appraised Values**

Tax Year	Land	Building	Appraised Total	Reason
2020	181,100	60,800	241,900	
2019	181,100	62,100	243,200	
2018	181,100	62,100	243,200	
2017	181,100	64,500	245,600	
2016	181,100	65,700	246,800	
2015	181,100	66,900	248,000	
2014	181,100	68,500	249,600	
2013	159,280	60,720	220,000	
2012	166,100	62,600	228,700	

**Sales**

Sale Date	Sale Price	Sale Validity	Instrument Book - Page	Grantor	Grantee
04/03/2012	220,000	Q	WD 376T - 309	VONASHEK CHARLES J	JITTERBUG BAKERY LLC
06/05/2006	320,000	U	WD 308N - 0557	BERGEN FREDERICK S	VONASHEK CHARLES
04/19/2006	0	U	NA 305E - 0443	DEAL SARAH ELOISE	BERGEN FREDERICK S ESTATE

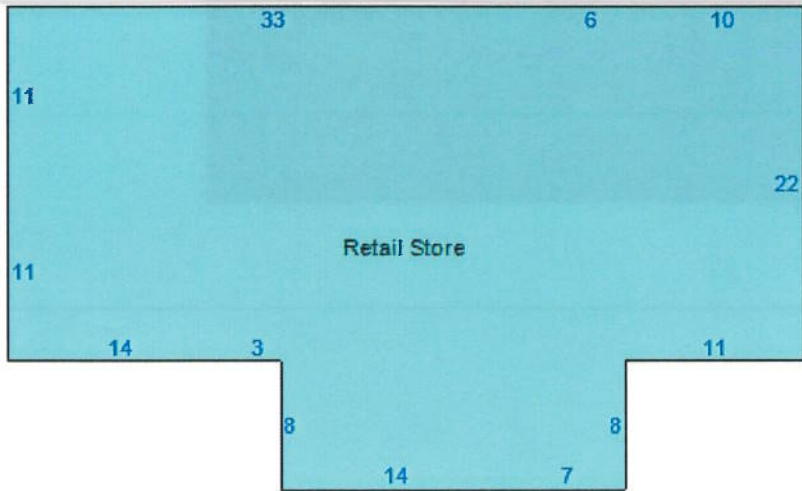
**Land**

Line Number	1
Land Type	S - SQUARE FOOT
Land Code	G2 - GENERAL COMMERCIAL 2
Square Feet	6,720
Acres	.1543
Influence Factor 1	-30
Influence Reason 1	
Influence Factor 2	
Influence Reason 2	

**Commercial Building**

Card	1
Actual Year Built	1958
Effective Year Built	1995

Percent Complete	100
Main Occupancy	353 : Retail Store
Quality / Condition	2 / A-AVERAGE
Units	
Total Area	1,246
Basement Area	
Finished Basement Area	No



Item	Area
Retail Store - 353:Retail Store	1246







KEVIN F. RO  
ARCHITECT

311 MAUPAS AVENUE  
Savannah, Georgia, 31401  
(912) 308-4622

SEAWOLF  
106 SOUTH CAMPBELL AVENUE  
TYBEE ISLAND GEORGIA

date: 06.01.21  
job number: 2106  
drawn by: KFR  
checked by: KFR

SHEET:  
A1.0

WORK NOTES:

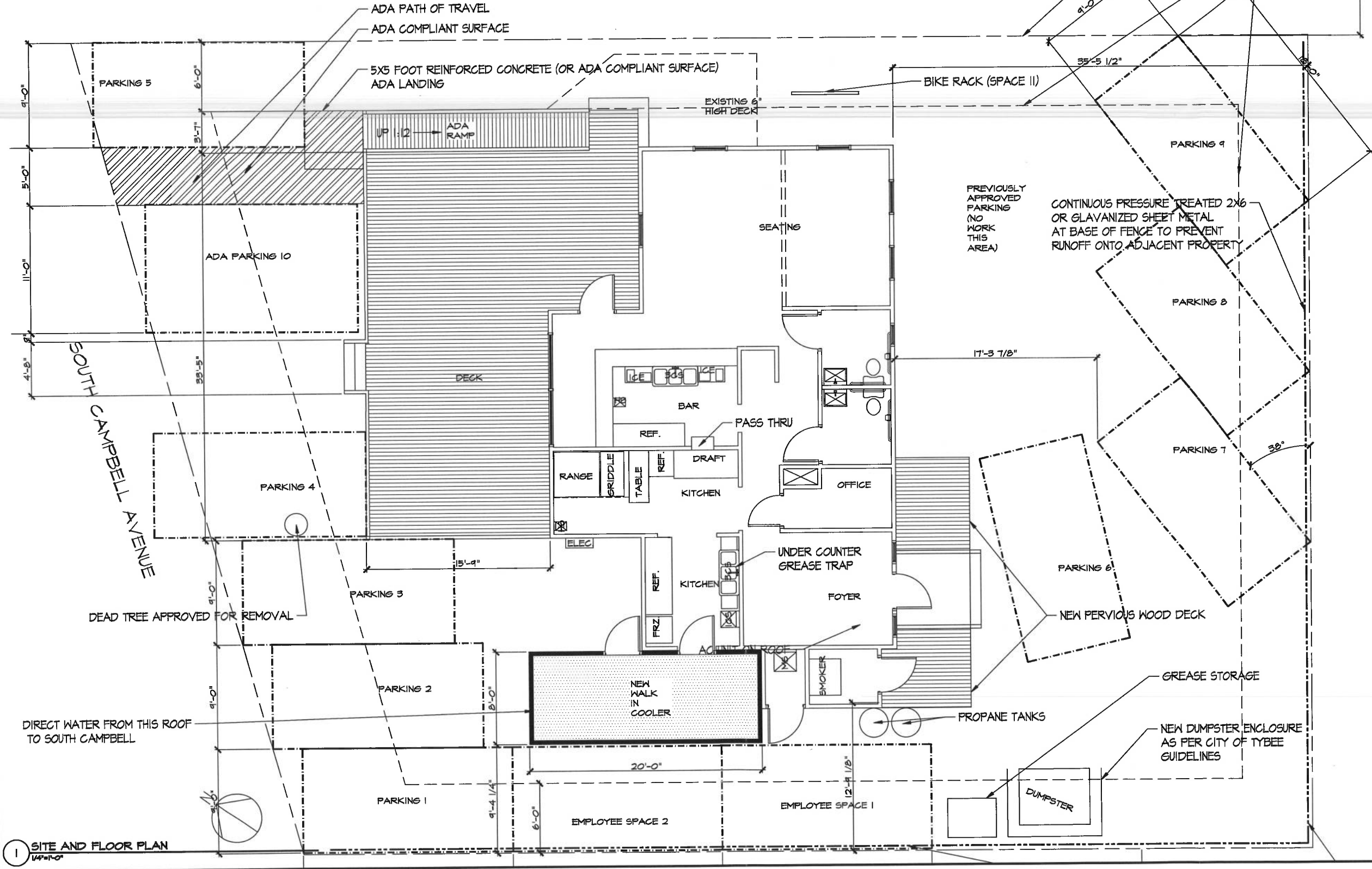
PHASE 1 IS NEW WALK IN COOLER  
PHASE 2 IS REVISION OF EXISTING DECK FOR ADA  
ACCESS AND MORE FLEXIBLE SEATING  
ARRANGEMENTS. NO ADDITIONAL SEATING IS BEING  
CREATED. NEW DECK IS WITHIN THE SAME FOOTPRINT  
OF THE EXISTING DECK

PARKING NOTES:

1. 990 SQUARE FEET OF TOTAL SEATING AREA @ 15 SF PER PERSON EQUALS 66 PERSONS = 11 SPACES 10 SPACES PROVIDED PLUS A BIKE RACK FOR A SPACE CREDIT OF ONE EQUALING 11 SPACES
2. 6 EMPLOYEES = 2 SPACES

7 ON STREET SPACES

LINTON STREET



1 SITE AND FLOOR PLAN  
1/4" = 1'-0"

NOT FOR CONSTRUCTION

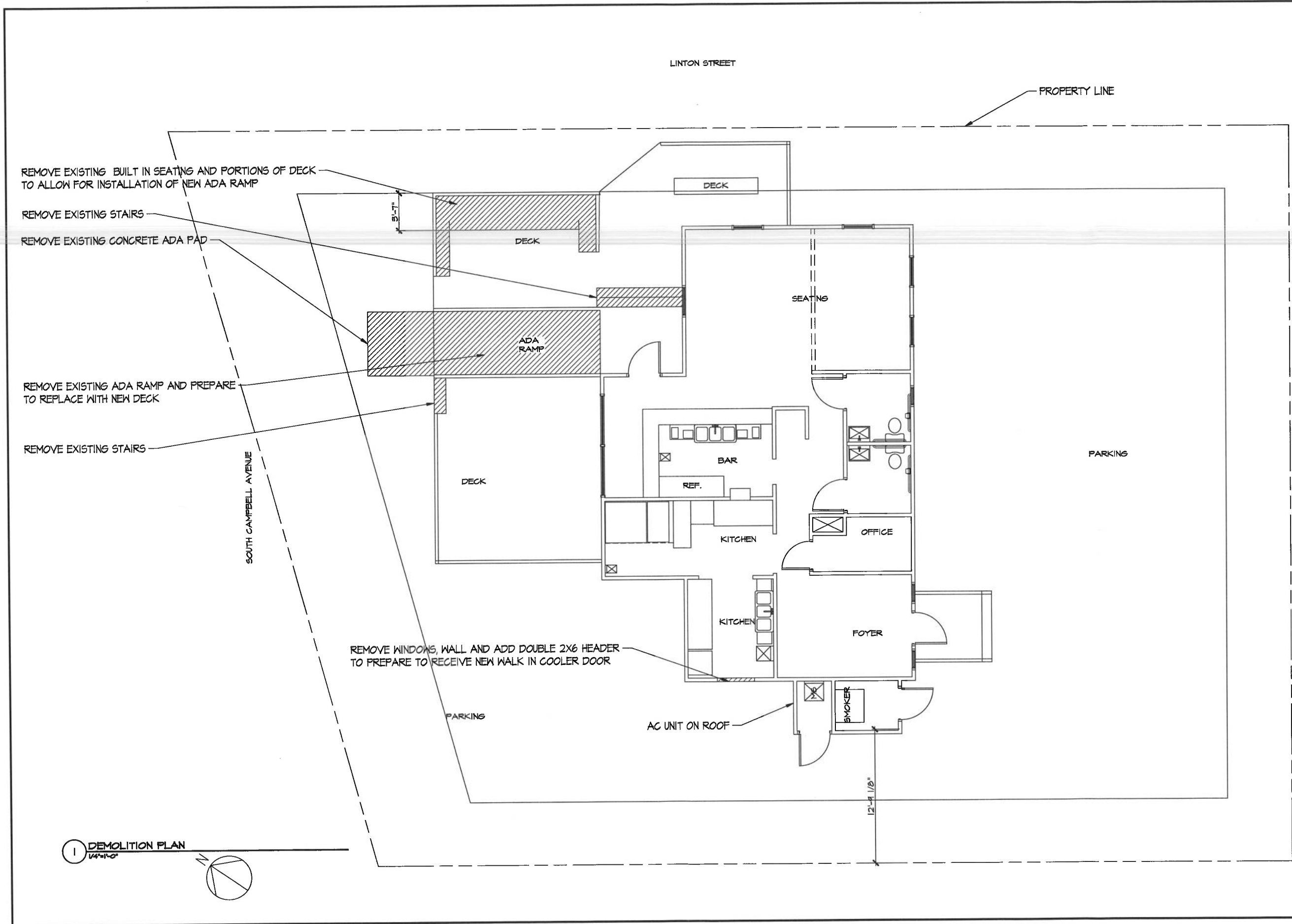
KEVIN F. ROSE  
ARCHITECT

311 MAUPAS AVENUE  
Savannah, Georgia, 31401  
(912) 308-4622

SEAWOLF  
106 SOUTH CAMPBELL AVENUE  
TYBEE ISLAND GEORGIA

date: 06.01.21  
job number: 2106  
drawn by: KFR  
checked by: KFR

SHEET:  
D1.0



1 DEMOLITION PLAN  
1/4"=1'-0"

NOT FOR CONSTRUCTION

## **Short Term Rental Stats**

- 1326 ACTIVE
  - 18 Pending approval or no valid business license/OTC
  - 24 Non-Compliant
- 
- There are a number of properties on the Host 'non-compliant' list that are STVR, but no permit applied for yet. These are folks known to staff that have, historically, renewed their STVR permit and BL/OTC each year and are not scofflaws, etc. We have returned mail situations, older property owners that may not be aware.