



**PLANNING COMMISSION
NOTICE OF DETERMINATION**

Meeting date: February 16, 2010

Petitioner: Gerald Schantz

Project Name/Description: additional buildings at existing business

Property Address: 1115 Hwy. 80; PIN 4-0026-03-021; Zone C-2

Action Requested: Site Plan

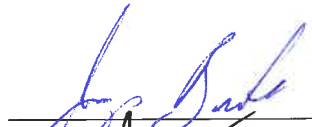
Special Review		Subdivision:	
Site Plan Approval	X	Sketch Plan Approval	Conceptual
Zoning Variance		Preliminary Plan Approval	
Amendment to Zoning Map		Final Plat Approval	
Text Amendment to Land Development Code		Minor Subdivision	Major Subdivision

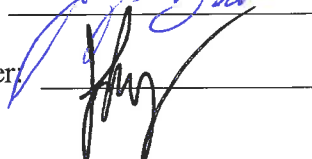
Petitioner has met all documentation requirements, all external approval requirements, and all code requirements, except for the following: N/A

VOTE	FOR	AGAINST	COMMENTS
Bishop	X		Second
Bramble		X	
Bryan		X	
Burke			Chair
Callahan	X		
Major			Absent
Parks	X		Motion to approve

The Planning Commission recommends: Approval Denial Continued

NOTE:

Planning Commission Chair: 

Planning and Zoning Manager: 

Date: 2/22/10

Date: 2/17/10



PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION MEETING OF: February 16, 2010

FOR THE CITY COUNCIL MEETING OF: March 11, 2010

LOCATION: 1115 Highway 80

PIN: 4-0026-03-021

APPLICANT: Gerald Schantz

OWNER: Same

EXISTING USE: Commercial (mobile kitchen) PROPOSED USE: Same with additional amenities

ZONING: C-2

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Arts, Eats, Eco-Business Corridor

APPLICATION:

Site Plan Approval (Section 5-020 (B) and 5-080))

PROPOSAL:

The applicant is seeking site plan approval to add an additional building and commissary in conjunction with an existing business.

ANALYSIS:

The character of this area is predominantly commercial and lies within the Arts, Eats, Eco-Business Corridor according to the Tybee Island Master Plan. There are residential uses to the north of this property and commercial on the other three sides of the property. Commercial uses to the south are intersected by Highway 80.

This property was granted site plan approval by City Council on June 11, 2009 for the location of a mobile kitchen on a previously vacant lot. The current site plan request involves the expansion of the use of this lot to incorporate a covered area for patrons to sit and eat as well as 12' x 28' structure that will house a commissary area and on-site restrooms. The building will be a modular structure and will be located on the eastern portion of the lot. There are intended to be two phases for this project but the applicant is requesting site plan approval for the entire project at one time. Phase 2 of the project will include the creation of the pole barn (seating area with tables).

The applicant has provided a detailed narrative for the project and has addressed that there will be both steps and a handicap ramp for accessibility to the new structure. Also, as required by the City the site plan shows the creation of an additional five (5) parking spaces to bring the total to 13 on the lot, which satisfies the parking requirements of the Land Development Code Section 3-080 (C). The applicant also states that there will be pervious material to replace a portion of the white rock to comply with the Stormwater Management Ordinance.

There are tree considerations for this lot and the applicant has stated that they would comply with Tree Ordinance (Section 7-050 (a)) and include the addition of four (4) new trees on the lot to bring the total to nine (9) trees and meet the requirements of the ordinance. No trees are proposed to be removed from the property under this request.

The applicant does wish to construct a 36" by 60" brick pad to locate a propane grill for the outdoor cooking required of the restaurant. This pad would be part of this application for approval. However, the Chatham County Health Department is the governing authority on cooking outdoors.

After discussions with the applicant, there is a proposed bike rack to be located on the southwest corner of the property for cyclists to easily access the location.

The following table shows how the project fits in with the Recommended Development Strategies outlined in Section 1.2.1 of the Master Plan.

<i>Master Plan Section 1.2.1 Recommended Development Strategies</i>		
Strategy		Meets Strategy Y/N or N/A
1.	New development, redevelopment and restoration should be consistent with existing character of the area in terms of mass, scale, use and density.	Y
2.	Encourage commercial and mixed-use infill development and redevelopment along the Highway 80 commercial corridor.	Y
3.	Down zoning within the Highway 80 commercial corridor should be discouraged.	Y
4.	Establish a set of standards for a maximum percentage of residential use on a per parcel basis to encourage mixed-use.	N/A
5.	Enhance pedestrian movement through streetscape improvements.	N/A
6.	Support the continued development of the Tybee Island bikeway including bike lanes and multi-use trails.	Y
7.	Establish standards and design guidelines for signage. Develop a "theme" for signage to ensure that it is consistent and fits with the character of the area and the Island as a whole.	N/A
8.	Allow for an appropriate mix of retail, residential, and tourism-related uses consistent with the vision of the Plan.	N/A
9.	Implement traffic calming measures and parking improvements.	Y
10.	Establish noise and sight buffers between the commercial uses and the adjacent residential areas.	N

The proposed use is in keeping with the C-2 District as outlined in the Land Development Code Sec. 4-050(E):

“The purpose and intent of commercial districts is to provide central locations for city businesses and services to meet the market needs of Tybee Island residents and visitors.”

STAFF FINDING:

This request is compatible with the existing use for the lot that for this site plan request. Currently the lot is used for the mobile kitchen facility and this request maintains the same use of the lot. In addition, this request does not violate the guidelines of the Master Plan or the City of Tybee Island Land Development Code.

ATTACHMENTS:

- A. Application (2 pages)
- B. Narrative (3 pages)
- C. Site Plan (1 page)
- D. Design Rendering of future site (1 page)
- E. Landscape Master Plan (1 page)
- F. June 11, 2009 Council Minutes (6 pages)
- G. SAGIS Property Card (1 page)
- H. Property Picture (1 Page)



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

Fee \$250

Applicant's Name GERALD SCHANTZ

Address and location of subject property 1115 HIGHWAY 80. CORNER OF MCKENZIE + HWY 80

PIN 4-0026-03-021 Applicant's Telephone Number 912-856-4227

Applicant's Mailing Address 111 E. GUNNETT ST.
~~324 W. BOLTON ST.~~, SAVANNAH, GA 31401

Brief description of the land development activity and use of the land thereafter to take place on the property:
RESTAURANT - DINE IN & TAKE-OUT

Property Owner's Name GERALD SCHANTZ Telephone Number 912-856-4227

Property Owner's Address 111 E. GUNNETT ST.
~~324 W. BOLTON ST.~~, SAVANNAH, GA 31401

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 - TAKE OUT

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

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

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

Disclosure of Campaign Contributions form attachment hereto: Yes

Gerald Schantz 2-1-2010
Signature of Applicant Date

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

Fee Amount \$ 250 Check Number 5590 Date 2-1-10

City Official Dianne Otto

NOTE: This application must be accompanied by following information:

- _____ 13 copies, no smaller than 11 x 17, of the proposed site plan and architectural renderings.
- _____ 4 copies, no smaller than 24 x 36, of the engineered drainage and infrastructure plan.
- _____ 10 copies, no smaller than 11 x 17, of the existing tree survey and the tree removal and landscaping plan.

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

2-1-2010

Date

**Project Narrative for Site Plan Approval
City of Tybee Island, Georgia**

Project: Gerald's at Tybee
1115 Highway 80

Date: February 1, 2010

Applicant: Gerald Schantz

Agent: **WARD EDWARDS, Inc.**
Willy Powell, PE
1613 Paris Avenue Port Royal, SC 29935
Tel: 843.837.5250
Fax: 843.837.2558

Description

Gerald's at Tybee is located within the City of Tybee Island, Georgia and contains thirty-one hundredths (0.31) acres. Gerald Schantz is both the applicant for the proposed project along with its owner. The Property is referenced by Chatham County Tax Parcel 4-0026-03-21 and a 911 address of 1115 Highway 80.

Gerald currently operates the existing mobile kitchen located on the proposed property. Presently, the mobile kitchen is used for take-out only; however, the proposed project will allow the site to serve as an outdoor destination for local barbecue, shrimp, and seafood.

Intent of the Project

The Property is currently improved and contains the existing mobile kitchen along with a gravel drive installed with Tybee White Rock. Eight parking spaces exist, six of which contain an engineered pervious system, while the other two are Tybee White Rock.

The proposed project will include a new 12 feet by 28 feet structure used for restrooms and a commissary. To serve the restrooms and commissary, both steps and a handicap ramp will be constructed. A second structure, a pole barn, will be used for covered seating and covering for the proposed ramp and stairs. Also, five (5) new pervious parking spaces will be installed to increase the off-street parking to thirteen (13).

As mentioned below, portions of the existing Tybee White Rock will be removed and replaced with an engineered pervious material to achieve the requirements of the stormwater ordinance.

Adjacent Parcels

- North
 - 4-0026 -03-001
Kohel Franklin D Trustee
PO Box 2
Tybee Island, GA 31328
 - 4-0026 -03-001A
Killorin Diana C
134 San Marco Dr
Tybee Island, GA 31328
- South
 - US Highway 80

- East
 - 4-0026 -03-022
Jackson & Spriggs George W & George I JR
PO Box 2842
Tybee Island, GA 31328
- West
 - McKenzie Street

Parking

The ordinance states in Section 3-080 (C) that restaurants shall provide one space for each four seats with a maximum seating capacity of 15 square feet per person plus one space per two employees.

The site presently contains eight (9) spaces with three (4) parallel spaces proposed, for a total of thirteen (13). Using one space to account for two employees leaves twelve (12) spaces available for customer use. Twelve (12) spaces will account for 48 customers and 720 square feet of seating area.

The covered seating is presently shown as 28 feet by 25 feet, or 700 square feet, which is less than the maximum allowed area of 720 square feet.

Also, a bike rack is proposed to facilitate alternative transportation methods. The bike rack is located such that it can be accessed from either Highway 80 or internal to the site.

Tree Preservation and Landscaping

Presently, the site contains five (5) trees: two live oaks, two pines, and one palm tree. No existing trees are proposed to be removed for construction of this project.

The ordinance states in Section 7-050 (a) that trees may be removed provided that a minimum density of three (3) trees per 4,500 square feet of area is maintained, thus the ordinance requires nine (9) trees remain after site construction activities have been completed.

Since the site is currently non-conforming and no new trees are proposed to be removed, the proposed landscape plan includes the addition of a minimum of four (4) new trees to be planted to bring the site up to conformance.

Drainage

Currently, the property utilizes pervious materials to promote infiltration and meet the stormwater regulations. The proposed project will include the addition of approximately 1,900 square feet of impervious structures.

To offset the increased stormwater runoff from this area, portions of the existing drives will be removed and replaced with an engineered pervious material, similar to the material installed with the addition of the mobile kitchen. This material converts drive areas considered impervious, due to compaction and wear, with a pervious material that lowers the runoff coefficients and provides additional infiltration surface areas.

The pervious material currently onsite, located in the four parking spaces, was installed over the summer and continues to stay dry while promoting infiltration, even after the abundance of precipitation over the last quarter of 2009.

Following Site Plan Approval by both the Planning Commission and City Council, the drainage calculations will be formalized and submitted to staff for review and approval.

Water & Wastewater

Water & Wastewater services exist for the proposed project and will be extended to service the new structure.

For water service, the existing water line will be extended for the proposed building. A Reduced Pressure Zone (RPZ) Backflow Preventor will be installed on the existing line due to the proposed use. Also, the existing water line will contain a new service line for site irrigation and water use. Also, an existing fire hydrant is located at the intersection of McKenzie Street & US Highway 80.

For sewer service, the existing sewer line will be extended to the proposed building. Due to the proposed use, a grease trap is required and will be located internal to the proposed building.

The existing mobile kitchen will continue to operate as a mobile kitchen and will not require water and sewer connections or a grease trap.

Solid Waste

Solid Waste will be handled by the use of the existing onsite City of Tybee issued roll-out containers. The containers will be stored behind the existing mobile kitchen and will be screened by a proposed privacy fence.

Electrical

Electric power is existing and will be extended to service new structure.

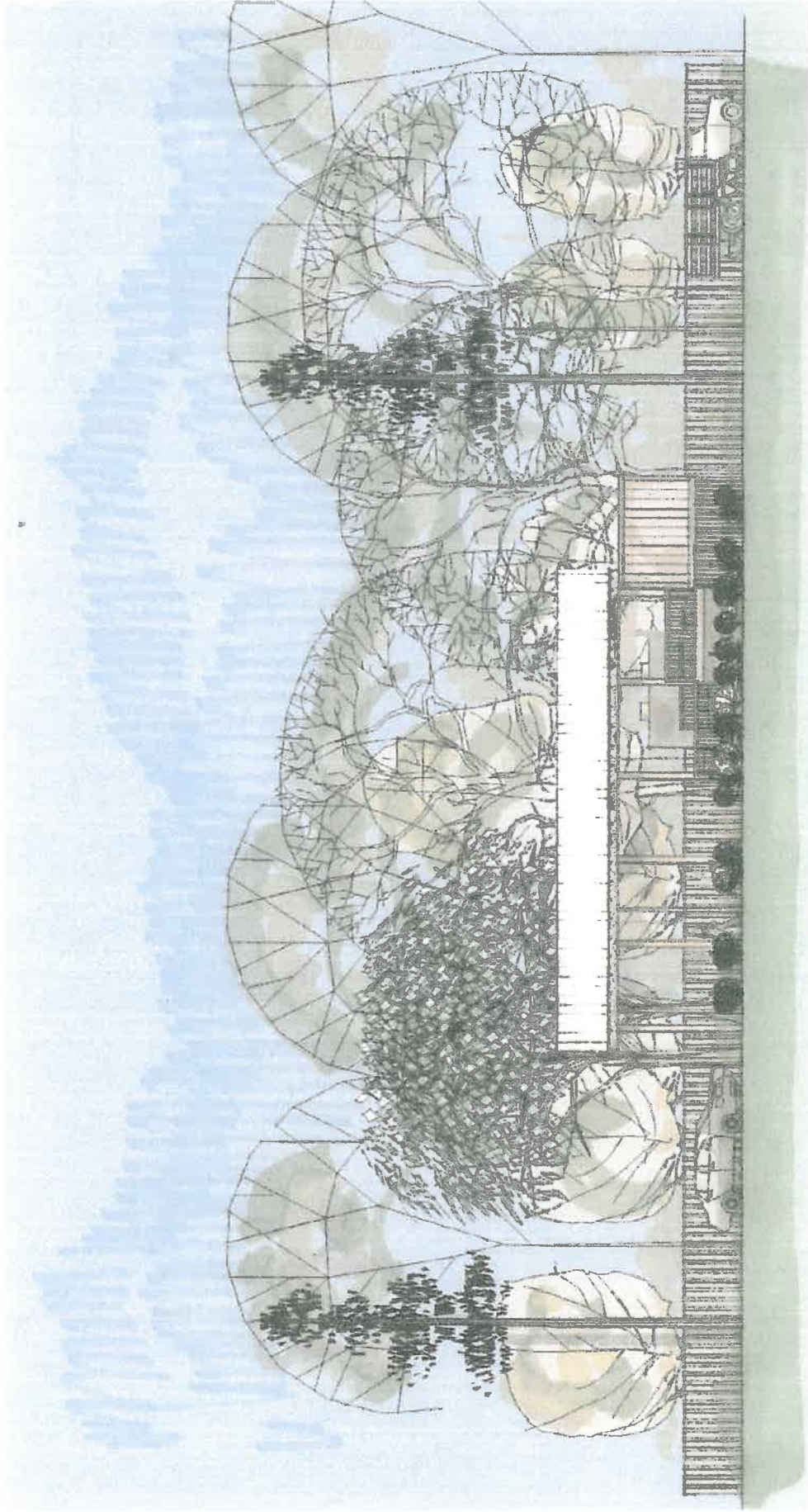
Outdoor Cooking

A 36" by 60" brick pad is proposed to serve as an area for an outdoor cooking unit. The cooking unit will be propane fired.

Project Phasing

The site infrastructure, including all drainage, is proposed to be constructed in a single phase.

The pole barn with covered seating is proposed to be considered Phase 2 and may be constructed concurrently with the remainder of the site, but will ultimately be constructed once financially feasible.



Gerald's at Tybee
Concept Design

Barnard Architects

January 2010

doesn't think they can do it with a straight line. He recommended that if they do a subdivision, they make sure to include the 10 foot setback lines and a 4500 square foot lot allowance. Councilman Brewer asked if it was a carport and said our ordinances allow carports to be within the 10 foot setback. Ms. Otto confirmed that statement and added as long as the carport is open on three sides.

A Motion by Councilman Brown to approve was seconded by Mayor pro tem Doyle. Councilman Wolff asked for an amendment for the motion to approve be contingent on subdividing or recombining the lots. Councilman Brown and Mayor pro tem Doyle agreed to the amendment. The vote was unanimous.

3. Zoning Variance (Section 5-090) from Section 3-090 Petitioner Wyman Sharpe
Address: 200 block of Fifth Ave PIN 4-0004-13-013 Zone R-2
Schedule of Development Regulations: Section 5-130(J) (1), Major Subdivision Plat Procedure-
Revisions to Recorded Plat-Major revisions

Ms. Otto said that Council will only be considering the variance and not the Major Subdivision. She said the request is for Lot# 6 in the subdivision. He is requesting a 10 foot setback instead of the required 20 foot. Mark Boswell represented Wyman Sharpe and presented the petition. He said there were originally ten lots in the subdivision and it has been recombined and subdivided where they will only have six lots. He said the total size of the subdivision is the same with the density actually going down from what was originally platted in 2004. He said they addressed concerns of the Fire Chief and added a fire hydrant, increasing the fire safety of that subdivision. He said the owner is willing to give an additional five foot easement for the water and sewer on lots 3, 4, and 5.

A Motion by Mayor pro tem Doyle to approve was seconded by Councilman Smith. Councilman Wolff stated 75% of this lot is tidal marsh and when you put the 25 foot buffer on top of that, this lot isn't buildable. Councilman Brown stated there is enough land on this plan to build a house on and whether or not it is marsh is not indicated on this plan. The vote was Doyle, Smith, Brewer and Brown in favor and Wolff opposed.

4. Site Plan Approval (Sec 5-080)/mobile kitchen. Petitioner Gerald Schantz
Address: 1115 Hwy 80 PIN 4-0026-03-021 Zone C-2

Councilman Brown recused himself because he is a neighbor.

Ms. Otto said this plan is for a mobile structure that may be on site at times and not be there at other times. She said the site has no restrooms, no tables or chairs and is takeout food only. No water/sewer connection. She said the planning commission recommended approval with the following conditions: A revised site plan showing the location of a trash receptacle and elimination of the water and sewer receptacles shown on the plan, correction to the paving at the site. She asked Mr. Schantz if his referral at the PC meeting to his other unit meant an additional unit or a substitute for the proposed unit.

Mr. Schantz said he did not understand the question and has only one mobile food unit licensed by the health department. Ms. Otto asked if a barbecue cooker is coming to the site. Mr. Schantz said it may or it may not but it would be like a grill that anyone else has in their back yard. Ms. Otto said it is not shown on the site plan. Mr. Schantz said it would be no different than someone having a grill in their back yard and he may park it there or on another lot.

Mayor pro tem Doyle said there are a lot of structures on the island that do not have bathrooms. She asked if Mr. Schantz would consider a port o let. Mr. Schantz said he was told he couldn't have a port o let. Doyle asked Ms. Otto if that was true. Ms. Otto asked Downer Davis to answer the question. Mr. Davis said he reviewed the plans for this project and the plans have changed quite a bit. He said he doesn't remember port o let's being discussed since an initial meeting with Mr. Schantz and Harold Yellin with the City. He said he knows the decision was dropped but it was not his decision to drop it. He said at that time Mr. Schantz had not submitted a set of plans and it was conceptual. He said Mr. Schantz gave a sketch at the initial meeting but later submitted architectural plans that included seated dining. He said the port o lets were never reviewed by the city but they were discussed early on. He said he is not opposed to port o lets but has not reviewed a set of plans with them on it. He said since this facility is intended to be an ongoing operation and not a temporary facility. He doesn't know how the code reads for a permanent business to operate with temporary restrooms. He doesn't know if it's allowed or if it's not. He said it would surprise him if an ongoing year round restaurant, expected to renew his license year after year could use port o lets. Mayor pro tem Doyle said when they inquired about port o lets at the North end of the island, it was her impression it was up to the owner of the property. Mr. Davis said his understanding of the international building code, temporary structures stay for six months and that's what it reads. He said this project was not reviewed as a temporary structure because Mr. Schantz plans on being there over six months. He said one of the heartaches has been in Dianne, Ray and himself looking at the FEMA and flood damage prevention ordinance it refers to RV's but does not talk about mobile commercial facilities. He said it has been quite difficult to get through this process.

Councilman Wolff asked how he could maintain a health department permit without water. Mr. Davis answered because the health department has given them a letter stating this is a standalone unit. He said his chuck wagon machine is not like those portable hot dog machines or mobile snow cone machines but is a full self contained kitchen. He said if he connects to our water and sewer then he would have to put in grease traps.

Councilman Brewer asked why a bathroom would be required for a stand up barbecue place when they just approved an ice machine without even asking about a bathroom for the site. Ms. Otto said the vending machine does not have employees. Mr. Schantz said a friend has rented a house that is literally across the street and 100 feet to the West and he has discussed use of the bathroom by his employees. Mayor Buelterman said it is hard to cross that street. Mr. Schantz said it is easier to cross the street than to get in the car and drive to the public facility. Ms. Otto asked for Mr. Braun's opinion on whether or not the additional unit would require another site plan. Mr. Braun said if Mr. Schantz is going to use another unit then he needs to show it on the site plan. Mr. Schantz said if he is not allowed a grill, he will not have a grill.

Councilman Smith said he and Mr. Davis had discussed the yellow line painted in front of Mr. Schantz's property and asked Ms. Schleicher and she responded that she thought the bank wanted it

there and it probably had to do with safety for the bank. He said it will be removed. Councilman Smith read portions of the letter from the Health Department confirming full compliance with health regulations. He also asked Mr. Schantz why he had submitted so many plans. Councilman Brewer called a point of order and asked if the 500 foot recusal rule still applied because his business is located within 500 feet of Mr. Schantz property. Councilman Smith said that rule was in the old Ethics ordinance and is not in the new Ethics ordinance. Mayor pro tem Doyle agreed.

Mr. Schantz answered Councilman Smith's question and said he felt he was given incorrect information and at great expense had his engineers draw plans up according to that incorrect information and one of those was that the mobile food unit had to have another building to attach to. He said in November when he went in and asked Ms. Allen if he could put his mobile food unit there she said not only no but no way it is not allowed. He said in March Mr. Yellin had a meeting with the City Manager and the City Attorney and they told him he needed to reapply. He said in February all of the codes changed and required him to change the parking on his plan. He said the bricks alone are over \$3,000. He said the only thing he would have had to do in November was put in a handicap sidewalk to get it approved.

Mr. Schantz said zoning officials told him his mobile unit needed to be five feet off of the ground and movable in ninety minutes. He said that's what he drew plans for. He said the overwhelming question is why if its five feet off of the ground does it have to be mobile and if it's mobile why does it have to be five feet off of the ground. He asked that question and said he was told "that's the rules". He said he submitted plans showing a ramp to the built bathrooms and was told these plans would not be accepted because there is no ramp to the mobile food unit. He said he went online and looked up the ADA rules and found he was exempt because his business does not meet the requirement because of the number of employees and so he went back and submitted another set of plans. He said the plans show a standalone mobile unit with the water and sewer connections shown because they exist. He said the engineer said the notes would state that the unit would be self contained and he would not hook up to water and sewer. He said he would like to have the water turned on in order to water his shrubs. He said he would apply for a water meter in order to water existing shrubs and he plans to plant additional shrubs. He said that is why there have been so many sets of plans submitted because he was following what he was told and he spent a lot of money on that first set of plans and they went right into the circular file because it turned out they weren't needed.

Mayor Buelterman said an organization like the one Perb Fortner announced would help out a lot in this kind of situation.

Mr. Schantz said every other department says what can I do to help you but this department just says these are the rules and a lot of the time the stated rules are not the rules. He said it is very difficult for a person doing a project that doesn't do this for a living, to keep up with all the rules, so they depend on the professionals. He said when the professionals don't help you what are you supposed to do. He asked why he was told by the zoning department that he needed to do two things, neither of which is on the plan submitted to council. He said it's because the rules weren't the rules.

Ms. Otto said also on that first plan there was a pavilion restaurant type, dine in to LEED standard building with cisterns and obviously the city did not instruct Mr. Schantz to design that way. She

said his design team did. Mr. Schantz responded that he designed that plan due to Ms. Otto telling him he needed a building. He said he stands before council tonight without a building because he doesn't need a building for this mobile food unit.

Councilman Wolff asked for confirmation of the following statements: This is a take out facility only? Mr. Schantz answered true. You do have a valid health department certificate? Mr. Schantz answered true. You will have a trash receptacle on site and it will be buffered? Mr. Schantz said he will have the roll out carts plus trash receptacles by the windows. Councilman Wolff said if Mr. Schantz is selling anything in plastic or aluminum he would appreciate recycling containers on site. Mr. Schantz said he would be glad to. He asked Mr. Schantz if he voluntarily agreed not to have an onsite cooker. Mr. Schantz said outside of the mobile unit would be correct. Councilman Smith asked to make sure they were not preventing Mr. Schantz from coming back to apply for an outside cooker.

Mayor pro tem Doyle said the elimination of the water and sewer connection is not an issue right? Ms. Otto said she heard Mr. Schantz request water service and she would like clarity because if he is connecting to water, he will be required to connect to sewer and if he connects to sewer he will be required to have restrooms on site. Mr. Schantz asked if he could have a hose bib to water his shrubs. Mr. Schantz withdrew his request due to his council's recommendation that he say no because it was not a part of this plan.

Councilman Brewer said he was bothered by the restroom issue and the fact that during the summer there is a lot of traffic there and it's dangerous. He asked if the law doesn't require that employees have an onsite bathroom facility to use. Mayor Buelteman said Doyle's Nursery doesn't have restrooms and neither does the oaks. He said there are a lot of places that don't have restrooms. Doyle added that they all have employees.

Councilman Brewer said he thinks they should grant Mr. Schantz the right to have a port o let if he is going to have employees working in the building and he feels the same way about Doyle's Nursery. Mayor pro tem Doyle said the owner will not allow it. Brewer said having a business where the employees have to cross Hwy 80 to go to the bathroom is unrealistic and does not compute with him.

Ms. Otto said there will need to be a revised plan submitted by Mr. Schantz's engineer removing the notes related to connection to water and sewer. Mr. Schantz's Attorney Sherwin Robin said he disagrees that Mr. Schantz needs to submit another plan because the plan presented to council tonight states that they are not connected, he has stated he is not going to use them and he doesn't have a water meter. He said Mr. Schantz cannot take another continuance of his business yet again and he doesn't understand why we are trying so hard not to facilitate Mr. Schantz opening of his business. He asked Ms. Otto what the purpose of her request is because besides being Mr. Schantz attorney he lives on Tybee as well. Mr. Davis said he has a note from Ward Edwards signed by Wiley Powell saying the purposed water and sewer services have been removed and a note stating the mobile kitchen will not be connected has been added. He said he looked for that note and could not find it. Mr. Braun said the site plan will be recorded so the site plan needs to contain the proper conditions on which it is existing, which is that it is not going to hook up to water and sewer. He said council can make it a condition for getting his license issued but he will not have to come back to council again.

Mayor Buelterman asked Vivian Woods to read a letter received today from property owners at 1108 Laurel Ave. opposing the petition.

Julie Willet of 1111 Laurel Ave. spoke in opposition to the petition.

Perb Fortner said he is saddened by the fact that Mr. Shantz has had to go through this since November and we've had an eatery like that on the island already. He said maybe the Tybee Business Owners Alliance will help in the future. He said we need to figure out how to tell him this is what you need and this is what you have to go do. He said lets be able to help these people when they come to us. He said he can sense City employees are really frustrated and Mr. Schantz is not happy either but we ought to be able to figure out how to make it work if it's workable as opposed to going through what he has just gone through.

Mayor pro tem Doyle asked what Mr. Schantz's hours would be. Mr. Schantz said he has learned that customers dictate what you do. He said on 4th of July he may be serving iced tea and lemonade until the roads are clear. He said most nights he will want to get home at a reasonable hour.

Councilman Wolff asked Mr. Schantz to discourage loitering in the parking lot in order to be a good neighbor. Mr. Schantz said his property is zoned C-2 and he doesn't know why he should be punished for buying property that is zoned C-2 and he pays taxes on property that is zoned Commercial.

Councilman Smith said he sees twelve parking spaces on the plan and serving twelve people out of the window, Mr. Schantz is going to be busy. He said it looks like he has adequate parking and complies with the site plan and everything council has asked him to comply with.

Councilman Brewer said at twelve o'clock at night you have two people serving food and they have to go to the bathroom and they can't cross that street. He said there is a fallacy in this concept that this is going to be an acceptable process. He said they will go out back behind the trailer and they will find a dark spot and urinate by the fence and the people behind there will be in here raising cane with us. He said if Mr. Schantz said he is putting a bathroom in here, he would be supporting him 100%. Mr. Schantz said he was told he can't put a port o let there. Brewer said like Mr. Fortner said we need to address this as a city and come up with a way to make this either work or turn it down.

Councilman Brewer asked how Mr. Schantz was going to light that property without creating an intrusion on the neighbors. Mr. Schantz said he planned to put pin point lighting to accent the large oak tree and some lighting around the unit. He said there was an electric pole on the property left after the bank moved that had a street light on it and he plans to ask the electric company what is involved in putting a street light back on the hwy 80 side of the property.

Greg Willet of 1111 Laurel Ave. spoke in opposition to the petition. He asked about the food having to be reheated. Mr. Schantz said the barbecue will be cooked in Savannah.

Councilman Smith explained that Mr. Schantz has a restaurant in town where he will complete most of his cooking.

Edwin Longwater spoke in favor of the petition.

A Motion by Councilman Brewer to approve on condition of a Port o let being located on site failed for lack of a second.

A Motion by Councilman Smith to approve with all the conditions recommended by Planning Commission and that the hook up to water and sewer be deleted from the plans prior to the business license being granted was seconded by Mayor pro tem Doyle.

Mayor pro tem Doyle said on Tybee Island everyone knows this is a small place and a small island where we have commercial and residential. She said unfortunately sometimes we are side by side and it's very close out here. We do have rules and regulations in place about noise and loitering, etc. She said if issues come up the police should be called but they have to look at everything and she believes Mr. Schantz has a right to have a business on his property that he pays taxes on.

Councilman Brewer said he likes Mr. Schantz's food and he likes the idea of a barbecue restaurant being within 500 feet of his wife's business because he likes barbecue. He said they have the Huc a Poo's noise issue and the event center down on the South End and he hopes Mr. Schantz doesn't have to come back before them because of people complaining. He said while he supports him because he does own the property he does not support him because he believes there is going to be an issue because of the bathrooms.

The vote was Smith, Doyle, Wolff voting in favor and Brewer opposed.

5. 2009-2010 Budget Proposal

Bonnie Kline said they are on the third draft and basically the changes are just clean up items but she wanted to point out that the budget was worked out with department heads input and everything in it is important to someone. She said this budget draft comes up 1.2 Million dollars short. She said to be fair a little more than .5 Million is propping up the campground and the solid waste fund. She said she wanted to point out items that could be done at a different period. She said they have cut back on some of the revenue projections. She said while she doesn't believe taxes will be down she does believe there will be a collection issue because of the economy. She said parking revenue has dropped a little bit. She said Hotel Motel will stay the same or increase slightly due to the ordinance change. She said part of the other revenues is a onetime return of money by the Corps of Engineers. She said it looks skewed because of that but she could have taken it out and it would look pretty even. She said Public Safety is where we spend the brunt of our money and DPW keeping the island clean. She said some of the big items in the budget and some of the items that need to be considered are; Beach Renourishment and the one cent from the Hotel/Motel tax which is basically a third of what we get from it. Also the \$180,000 set aside from the cell tower revenues for green space. She said \$420,000 for paving, originally was in the SPLOST budget. She said she believes we can borrow from the general fund and get reimbursed by SPLOST as long as they make it clear that is what the intent is. She said \$200,000 for sidewalks. Mayor Buelterman asked if that included the \$160,000 we are getting from the state. Ms. Kline answered yes. She said on drainage projects they always try to put money in for crossovers to repair as they go along. She said Solomon Rd. may or may not happen because it was in the budget last year and never got done. Mayor pro tem Doyle asked if that \$400,000 was the reason the community development budget was so high. Ms. Kline said that was the bulk of it. She said the lifeguards don't have huge budget to start with but it is going to be a big increase because we plan to start them earlier, also covering some spring break weekends. The Fire Chief wants a bay to put the rescue boat under. The signs

SAGIS

Color Selection

HELP

Property Analysis Tools

- Property Search
- Market Analysis
- Property Information
- MapTools

Map Tools



Map Size

Property Information

Email this property

Parcel ID: 4-0026 -03-021
 Owner Name: SCHANTZ GERALD L
 Property Card Link: CLICK HERE
 Property Address: HIGHWAY 80 001115
 Zoning: C-2
 Flood Zone: AE
 Aldermanic Code: Unincorporated Chatham County
 Commissioner Code: 4
 Patrick K. Farrell
 Phone: 912-355-6699
 Zip Code: 31328
 Neighborhood Code: 02050000
 Calculated Acreage: 0.31
 Land Value: \$506,500
 Building Value: \$0

Information

Disclaimer:

This website is a public resource of general information. SAGIS makes no warranty, representation or guaranty as the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. The reader should not rely on the data provided herein for any reason. SAGIS explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. The sales information provided here is current to December 31, 2007. There is not guarantee, direct or implied, as to the completeness, content or accuracy of the data. For the official information please contact the Chatham County Board of Assessors.



Selected Property: 4-0026 -03-021

0 57 ft

Property Search Results

Market Analysis Results

Property Comparison Results

OWNER SEARCH: SCHANTZ

Save Print Criteria

Select the Map option to view property details

REC	PARCEL#	OWNER	ADDRESS
1	4-0026 -03-021	SCHANTZ GERALD L	HIGHWAY 80 001115

<< First < Previous Records 1 to 1 of 1 Next > Last >>



February 10, 2010



To whom it may concern:

I, Travis Williams, at 202 McKenzie St, Tybee Island, GA 31328 spoke with Gerald yesterday about his future plans including Restrooms and outdoor dining as well as parking. I am in favor of his plans to create and better business on the north end of the island. As being the closest property owner to his property I have no objections to the plans of which he presented to me.

Please feel free to contact me regarding this or any other issue that would concern my property. I can be reached at 301-258-5331.

Best Regards,

Travis Williams