



COASTAL RESOURCES DIVISION

ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON  
COMMISSIONER

DOUG HAYMANS  
DIRECTOR

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**SHORE PROTECTION ACT  
STAFF'S FINDINGS & RECOMMENDATIONS**

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May 15, 2026

**TO:** Shore Protection Committee:  
Commissioner Walter Rabon, Chairman  
Mr. Brad Brookshire  
Mr. Davis Poole  
Dr. Valerie Hepburn  
Mr. Bart Gobeil

**FROM:** Department Staff to the Committee

**APPLICANT:** Six Lovell LLC  
3810 Heritage Walk  
Milton, GA 30009

**AGENT:** Tara Merrill  
Environmental Science & Technologies Inc.  
Post Office Box 30548  
Savannah, GA 31410

**LOCATION:** 6 Lovell Avenue, Tybee Island, Atlantic Ocean, Chatham County, Georgia

**PROPOSED PROJECT:** The applicant is proposing to construct and maintain a single-family residential structure, landscape, and install hardscape improvements.

**APPLICABLE LAW:** Official Code of Georgia Annotated (O.C.G.A.) §12-5-230 *et. seq.*  
Shore Protection Act

**SUMMARY OF PUBLIC COMMENTS:** The Public Notice of the Shore Protection Committee (SPC) ran from March 27, 2026, to April 25, 2026. Three comments were received in response to the public notice. All comments expressed concerns about drainage because of fill onsite and the loss of permeable area due to construction. One comment addressed the historical character of residential structures on the street and the desire to maintain the architectural integrity of the neighborhood. The applicant has provided written responses to the comments and stated willingness to enhance stormwater management on site with additional features such as bioswales, rain barrels, and cisterns.

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**FINDINGS:** Department Staff to the Committee make the following findings regarding this application:

**Project Scope and Justification: O.C.G.A. § 12-5-238:**

1. Shore Protection Act (SPA) Permit #491 was issued November 18, 2022, for the modification of an existing single-family residential structure, landscaping, and hardscape improvements at 6 Lovell Avenue, Tybee Island. On July 24, 2025, the Department rescinded SPA Permit #491 due to a change in site conditions and advised the Permittees that any project within the SPA jurisdiction would require a new permit from the Shore Protection Committee.
2. The subject parcel is 12,081sq.ft. (0.28 acres), of which approximately 10,809sq.ft. (0.25 acres) is located within SPA jurisdiction.
3. The proposed project is to construct and maintain a two-story residential structure elevated above a ground level concrete foundation with associated hardscape and landscape improvements.
4. Impacts to SPA jurisdiction include 1,148sq.ft. of concrete pad, 136sq.ft. pervious pavers, and 2,483sq.ft. landscaped lawn.
5. An existing, at-grade public beach access path on the Lovell Avenue Right of Way is immediately adjacent to the property. A dune crosswalk is not proposed as part of the application.
6. Temporary impacts associated with site preparation include clearing, grading, filling, and removal of trees in SPA jurisdiction.
7. Total jurisdictional impacts are approximately 3,767sq.ft. (0.08 acre). Approximately 7,043sq.ft. (0.16 acre) of the subject parcel, or 65% of the SPA jurisdictional area will be maintained in its natural vegetated and topographic state.

**Application Form, Applicant Name and Address, Project Site Plan, Plat, Deed or other instrument, Written permission to carry out project by owner of land, O.C.G.A. § 12-5-238(1-5, 8):**

8. Applicant has submitted the application form, name and address, project site plan, plats, and deed.

**Adjoining Landowners, Non-refundable application fee, O.C.G.A. § 12-5-238(6,7):**

9. Applicant has submitted names and addresses of adjoining property owners, as well as the non-refundable application fee as required.

**Hurricane Resistant Standards, O.C.G.A § 12-5-238(9):**

10. S. Mark Boyles, P.E. (Ga License No. 21319), has submitted a certification dated November 5, 2025 stating the project meets all applicable hurricane standards.

**Local Government Zoning, O.C.G.A. § 12-5-238(11):**

11. Applicant has provided a statement from Patricia Sinel, Community Development Director for the City of Tybee Island that the project is not violative of any zoning law. The letter is not conditioned.

**Landfill, Hazardous Waste Inquiry, O.C.G.A. § 12-5-238(12):**

12. Applicant has made an inquiry to the Hazardous Site Index of Georgia as to the existence of hazardous waste at the site. The project area was not found to be over a hazardous waste site or landfill.

**Notification of Proposed Project, O.C.G.A. § 12-5-239(b):**

13. Adjacent property owners and interested parties who have requested to be placed on the mailing list were notified in writing of the proposed project. The Public Notice of the Shore Protection Committee ran from March 27, 2026, to April 25, 2026. Three comments were received in response to the public notice. All comments expressed concerns about drainage because of construction fill and the loss of permeable area on site. One comment addressed the historical character of residential structures on the street and the desire to maintain the architectural integrity of the neighborhood. The applicant has provided written responses to the comments and stated willingness to enhance stormwater management on site with additional features such as bioswales, rain barrels, and cisterns.

**Requirements and Restrictions Regarding the Issuance of a Permit, O.C.G.A. § 12-5-239(c)**

14. No permit shall be issued except in accordance with the following provisions:

**(1) A permit for a structure or land alteration, including, but not limited to, private residences, motels, hotels, condominiums, and other commercial structures, in the dynamic dune field may be issued only when:**

- A. The proposed project shall occupy the landward area of the subject parcel and, if feasible, the area landward of the sand dunes;** The project consists of the proposed construction of a two-story residential structure elevated above a ground level concrete foundation. Construction plans indicate that the structure will occupy the landward area of SPA jurisdiction on the parcel. The structure will be constructed 10ft. landward of the toe of the most landward dune.
- B. At least a reasonable percentage, not less than one-third, of the subject parcel shall be retained in its naturally vegetated and topographical condition;** Total jurisdictional impacts are approximately 3,767sq.ft. (0.08 acre). Approximately 7,043sq.ft. (0.16 acre) of the subject parcel, or 65% of the SPA jurisdictional area will be maintained in its natural vegetated and topographic state.
- C. The proposed project is designed according to applicable hurricane-resistant standards;** S. Mark Boyles, P.E. (Ga License No. 21319), has submitted certification dated November 5, 2025, that the project meets all applicable hurricane standards.
- D. The activities associated with the construction of the proposed project are kept to a minimum, are temporary in nature, and, upon project completion, restore the natural topography and vegetation to at least its former condition, using the best available technology;** All proposed construction activities associated with the project will be kept to a minimum and are temporary in nature. Bioswales and rain gardens can reduce stormwater runoff volumes and increase groundwater recharge on a parcel. Bioswales and rain gardens are highly effective at mitigating flooding from concrete pads, driveways, and patios that are associated with residential

construction. They act as natural green infrastructure that captures, slows down, and absorbs stormwater runoff, preventing it from overwhelming traditional drainage systems and reducing localized flooding by allowing it to infiltrate into the ground.

- E. The proposed project will maintain the normal functions of the sand-sharing mechanisms in minimizing storm-wave damage and erosion, both to the unaltered section of the subject parcel and at other shoreline locations;** The proposed project will occur landward of the toe of the landward dune.

**Public Interest Considerations, O.C.G.A. § 12-5-239(i):**

15. In passing upon application for a permit, the Committee shall consider the public interest:
- A. The project will not result in unreasonably harmful, increased alteration of the dynamic dune field or submerged lands, or function of the sand-sharing system;** The proposed residence and associated hardscape and landscape improvements will be constructed landward of the landward sand dunes therefore no unreasonable harmful, increased alteration of the dynamic dune field or submerged lands, or functions of the sand-sharing system are expected from the proposed project.
  - B. The project will not unreasonably interfere with the conservation of marine life, wildlife, or other resources;** Sea turtles utilize the area for nesting and shore birds roost on the beach. Both nesting areas are located seaward of the project area therefore no unreasonable interference with the conservation of marine life, wildlife, or other resources are expected from the proposed project.
  - C. The project will not unreasonably interfere with reasonable access by and recreational use and enjoyment of public properties.** The proposed project will not interfere with reasonable access by and recreational use and enjoyment of public properties.

**RECOMMENDATIONS:** Should the Committee determine the proposed project to be in the public interest, Department Staff to the Committee recommends the following standard and special conditions:

**SHORE PROTECTION ACT O.C.G.A. § 12-5-230**  
**STANDARD PERMIT CONDITIONS**

1. The project must comply, as applicable, for areas permitted herein, with all other Federal, State, and local statutes, ordinances, and regulations, and the applicant must obtain all licenses and permits prior to commencement of construction.
2. This permit does not resolve actual or potential disputes regarding ownership of or rights in or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests.
3. All plans, documents, and materials contained in this permit application, required by the Shore Protection Act O.C.G.A. 12-5-230 *et seq.* are a part of this permit and conformance to such plans, documents, and materials are a condition of this permit. No change or deviation from these plans, documents, and materials shall be permitted without prior notification and approval by the Department or Committee.

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4. No further encroachment or construction shall take place within State jurisdiction, except as permitted by the Shore Protection Committee. Any modification of the plans or structure in the jurisdictional area must be reviewed and approved by the Department prior to construction.
5. A construction placard will be required to be obtained from the Department up to 30 days prior to the start of project construction and must be posted at the site. This placard will include certain steps in the construction of the permitted project that must be approved by the Department prior to construction.
6. The exact location and configuration of this project must be reviewed onsite and approved by Department staff immediately prior to beginning construction. Minor changes to the location may be allowed or required in areas that have eroded or accreted subsequent to the original jurisdictional determination.
7. No construction materials may be disposed of in the jurisdictional area of the Shore Protection Act.
8. Any incidental impacts associated with the construction of this project must be rectified by restoring areas to their pre-construction topographic and vegetative states.
9. The public shall maintain rights of ingress and egress on the foreshore beach area seaward of the ordinary high-water mark.
10. If the permitted improvements are damaged, fall into disrepair, become dilapidated, are not meeting their expected usefulness, or are not maintained at a serviceable level, then it is the responsibility of the owner to remove the improvements. A new permit will be required to retain and repair the structure, improvement or asset if it loses its structural integrity and is no longer serviceable.
11. The Shore Protection Committee is not bound in the future to protect any asset or improvements authorized by the permit.
12. The permit must be posted onsite within twenty-four (24) hours of beginning construction.
13. A copy of the above conditions must be supplied to the person in charge of construction.

#### **SPECIAL CONDITIONS**

1. Construction activities must take place landward of the landward toe of the dune as flagged in the field by the department prior to the start of construction.
2. A final landscape plan depicting native coastal vegetation must be submitted to the Department for approval prior to installation. The plan shall depict the use of native species to be used landward of the sand dunes.
3. To minimize flooding, the use of green infrastructure, such as bioswales and rain gardens must be included in the final landscaping plan.
4. This permit does not authorize trimming or removal of natural dune vegetation.
5. To protect marine turtle hatchlings, placement and use of exterior lighting on the subject parcel must be consistent with the Department of Natural Resources' Wildlife Resources Divisions sea turtle nesting guidelines as well as the lighting ordinance of the City of Tybee Island.
6. Permittee may be required to provide a post-construction survey that locates the proposed structure as indicated in the application materials. Such survey shall comply with the Georgia Plat Act, O.C.G.A. § 15-6-67 et seq.