



COASTAL RESOURCES DIVISION

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

WALTER RABON
COMMISSIONER

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DIRECTOR

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

September 19, 2025

TO: Shore Protection Committee:
Commissioner Walter Rabon, Chairman
Mr. Chad Barrow
Mr. Brad Brookshire
Mr. Davis Poole
Dr. Valerie Hepburn

FROM: Department Staff to the Committee

APPLICANT: Jekyll Seaside Retreat, LLC
Seaside Retreat at Jekyll Island Homeowners' Association, Inc.
4 Denny Road
Wilmington, DE 19809

AGENT: Jeff Homans
Land Design Associates, Inc.
120 Travellers Way
St. Simons Island, GA 31522

LOCATION: Lots 3-7 and Lots 9-14, Jekyll Seaside Retreat, LLC and Seaside Retreat at Jekyll Island Homeowners' Association, Inc., Jekyll Island, Atlantic Ocean, Glynn County, Georgia.

PROPOSED PROJECT: The applicant proposes the installation of patios and removal and installation of native landscaping within the State's Shore Protection Act (SPA) Jurisdiction.

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 ran from August 12, 2025 through September 10, 2025. No comments were received.

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. SPA Permit #193 was issued January 10, 1989, and authorized the construction of three wooden boardwalks, two decks, and a covered gazebo.
2. The area within jurisdiction consists of vegetated dynamic dune field and two crosswalks in need of repair. The existing southern crosswalk is 1,750.57sq.ft. and the existing northern crosswalk is 2,797.9sq.ft.
3. A separate SPA application has been submitted to the Department proposing to remove the southern crosswalk and modify the northern crosswalk.
4. The Jekyll Seaside Retreat parcel is 300,216sq.ft. (6.892 acres) and is subdivided into twenty-five (25) lots for proposed single family residences. Eleven (11) of these subdivided, residential lots contain 11,247.09sq.ft. (0.26 acres) within SPA jurisdiction.
5. The area within jurisdiction consists of vegetated dune including woody shrubs, palms, vines, grasses, and other pioneer vegetation.
6. The applicant proposes installation of 4000 psi modular concrete paver patios on six of the eleven lots within jurisdiction to include Lots 4 (677.34sq.ft.), 5 (494.41sq.ft.), 6 (728.73sq.ft.), 10 (757.48sq.ft.), 11 (134.79sq.ft.), and 12 (300.01sq.ft.).
7. Beach quality sand will be used to level and set the pavers.
8. In total, the applicant proposes the installation of 3,092.76sq.ft. (0.071 acres) of concrete paver patio within SPA jurisdiction.
9. The applicant also proposes the removal of existing vegetation and installation of native landscaping across the eleven lots within SPA jurisdiction. The landscaping plan includes a total of 8,154.33sq.ft. (0.19 acres) of native coastal vegetation and plantings.
10. A final landscape plan depicting native coastal vegetation will be submitted for approval prior to conducting the work.
11. Underground irrigation will be installed in the lawn and landscaped areas.
12. All work within jurisdiction will be accomplished with typical earth-moving equipment including excavators and skid-steer, as well as hand labor.
13. Existing and proposed impacts within jurisdiction will total 3,092.76sq.ft. (27.50%), and approximately 8,154.33sq.ft. (72.50%) of the state's jurisdictional area will remain in a natural or improved topographic and vegetative condition.

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):

14. 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):

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

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

16. Johnathan Roberts, P.E. (No. 034205), has submitted a certification that the project meets all applicable hurricane standards.

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

17. Applicant has provided a statement from the Jekyll Island Authority that the project does not violate any zoning law.

Landfill Hazardous Waste Inquiry, O.C.G.A. § 12-5-239(12):

18. Applicant has made an inquiry to the appropriate authorities that the proposed project is not over a landfill or hazardous waste site and that the site is otherwise suitable for the proposed project.

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

19. 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 August 12, 2025 through September 10, 2025. No comments were received.

Requirement and Restriction Regarding the Issuance of a Permit, O.C.G.A. § 12-5-239(c):

20. 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 proposed project will be located landward of the existing sand dunes in an area consisting of woody shrubs, palms, vines, grasses, and other pioneer vegetation.
- 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;** Existing and proposed impacts within jurisdiction will total 3,092.76sq.ft. (27.50%), and approximately 8,154.33sq.ft. (72.50%) of the state's jurisdictional area will remain in a natural or improved topographic and vegetative condition.
- C. The proposed project is designed according to applicable hurricane resistant standards;** Johnathan Roberts, P.E. (No. 034205), has submitted a certification 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;** Existing and proposed impacts within jurisdiction will total 3,092.76sq.ft. (27.50%), and approximately 8,154.33sq.ft. (72.50%) of the SPA jurisdictional area will remain in a natural or improved topographic and vegetative condition. All work within jurisdiction will be accomplished with typical earth-moving equipment including excavators and skid-steer, as well as hand labor. Impacts associated with and incidental to construction of the proposed project will be restored to at least their former condition.
- 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 be located landward of the existing sand dunes in an area consisting of woody shrubs, palms, vines, grasses, and other pioneer vegetation.

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

21. 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 project will be located landward of the existing sand dunes in an area consisting of woody shrubs, palms, vines, grasses, and other pioneer vegetation.
- B. The project will not unreasonably interfere with the conservation of marine life, wildlife, or other resources;** The proposed project will be located landward of the existing sand dunes in an area consisting of woody shrubs, palms, vines, grasses, and other pioneer vegetation. The proposed project is located within the vicinity of designated sensitive sea turtle nesting areas. All lighting will be installed and operated in accordance with DNR Wildlife Resources Division's Sea turtle nesting guidelines as well as Glynn County and Jekyll Island Authority lighting regulations. Any work conducted within SPA jurisdiction during sea turtle nesting season will be performed in coordination with DNR staff to determine if the activities could potentially impact nesting sea turtles.
- C. The project will not unreasonably interfere with reasonable access by and recreational use and enjoyment of public properties;** The proposed project will be conducted on private property and will not interfere with access to or 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.
- 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. In order to minimize the disruption of nesting activity from artificial lighting from the subject parcel, the Permittee must comply with the Department of Natural Resources' Wildlife Resources Division's Sea turtle nesting guidelines as well as the lighting ordinance of Glynn County and Jekyll Island Authority.
2. Because the project may occur between May 1st and October 31st, sea turtle nesting season, an individual with a DNR Sea Turtle Cooperators Permit must survey the area prior to the work beginning. All sea turtle nests must be avoided, and no activity may occur within 20ft. of a nest area.
3. A final landscape plan depicting native coastal vegetation must be provided to the Department for approval prior to installation.
4. Only beach quality sand suitable for sea turtle nesting, successful incubation and hatchling emergence shall be used on the project site. Fill material must be comparable in both coloration and grain size and be approved for use by the Department. All fill material shall be free of construction debris, rocks, or other foreign matter and shall not contain on average, greater than 10% fines (i.e. silt and clay; passing through a #200 sieve) and shall not contain on average, greater than 5% coarse gravel or cobbles (retained by a #4 sieve).
5. 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.