



DEPARTMENT OF NATURAL RESOURCES  
COASTAL RESOURCES DIVISION  
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON  
COMMISSIONER

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

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March 7, 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:** PPHP, LLC  
3439 Tuxedo Road NW  
Atlanta, GA 30305

**AGENT:** Dan Bucey  
Resource and Land Consultants LLC  
41 Park of Commerce Way, Suite 101  
Savannah, GA 31405

**LOCATION:** 105 East Thirty-Fifth Street, Sea Island, Atlantic Ocean, Glynn County, Georgia.

**PROPOSED PROJECT:** The applicant proposes the installation of a pool and spa, pool coping, patio, a portion of a paver walkway, and fencing 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 January 14, 2025 through February 13, 2025. No public comments were received in response to the public notice.

**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. The applicant's property is approximately 14,383 sq.ft. (0.33 acres), of which 2,825 sq.ft. (0.06 acres) is within SPA jurisdiction.
2. The landward area within jurisdiction consists of lawn and landscaping. A concrete retaining wall and an existing rock revetment are located immediately east of the subject lot. The existing rock revetment is covered with constructed dunes authorized by Shore Protection Act Permit #461.
3. The applicant proposes to install a 380 sq.ft. pool and 52 sq.ft. spa, 135 sq.ft. of pool coping, a 391 sq.ft. lounge and patio area, and 175 sq.ft. of pavers within SPA jurisdiction. For safety, a 22 sq.ft. fence will be installed around the pool.
4. The existing 180 sq.ft. of retaining wall will remain in place.
5. If any additional part of the existing lawn is disturbed during construction, the applicant proposes to return the lawn to a natural or improved topographic and vegetative condition by installing native grass of like kind. Underground irrigation will be installed in the lawn and landscaped areas.
6. All work within jurisdiction will be accomplished with typical earth-moving equipment including excavators and skid-steer, as well as hand labor.
7. Existing and proposed impacts within jurisdiction will total 1,335 sq.ft. (47.26%), and approximately 1,490 sq.ft. (52.74%) 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):**

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 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):**

10. Joshua G. Youngner, Registered Architect (Georgia Registration No. RA014204), has submitted a certification that 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 the Glynn County Community Development Department that the project does not violate any zoning law.

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

12. 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):**

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 January 14, 2025 through February 13, 2025. No public comments were received in response to the public notice.

**Requirement and Restriction 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 proposed project will be located landward of a concrete retaining wall and an existing rock revetment that is covered with constructed dunes authorized by SPA Permit #461.
- 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;** As proposed, 52.74% (1,490 sq.ft.) of the SPA 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;** Joshua G. Youngner, Registered Architect (Georgia Registration No. RA014204), 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;** Approximately 52.74% of the SPA jurisdictional area will be maintained in a natural or improved topographic and vegetative condition. Incidental impacts associated with 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 activities are located within previously landscaped areas landward of a concrete retaining wall and an existing rock revetment which has been covered with constructed sand dunes authorized by Shore Protection Act Permit #461.

**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 project will be located landward of a concrete retaining

wall and an existing rock revetment that is covered with constructed dunes authorized by SPA Permit #461.

- B. **The project will not unreasonably interfere with the conservation of marine life, wildlife, or other resources;** The proposed project will be located within an existing residential yard landward of a concrete retaining wall and an existing rock revetment that is covered with constructed dunes authorized by SPA Permit #461. 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 Sea Island 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. There is an existing public access point to the north at the end of Thirty-Fifth Street.

**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 Sea Island.
2. A final landscape plan depicting native coastal vegetation must be provided to the Department for approval prior to installation should the existing lawn be disturbed during construction.
3. 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.