

Beachside Colony Condominium Association, Tybee Island GA
SHORE APPLICATION PERMIT DUNE CROSSOVER October 2019

Written Description of the Project:

1. Basic Project Details

Prepare a narrative with project details and location. Be sure to include the lot and house number, street name, subdivision name, city and county. Provide project dimensions, construction method(s), materials, and access for jurisdictional areas. Describe the intended use (private, public or commercial) and provide an estimation of the size of any areas to be cleared, excavated, graded, filled, or bulkheaded. Discuss how your project meets or exceeds the design standards listed above, including the requirement to retain at least 1/3 of the parcel in its naturally vegetated and topographic condition.

In anticipation of the Corps of Engineers adding a secondary dune systems, beginning November 1, 2019 we need to build a dune crossover from Beachside Colony Condominium located at 404 Butler Avenue, Tybee Island, Chatham County, Georgia. The crossover is of commercial use and will service ninety-thousands (90,000) guest and owners per year going to and from the beach located at this address.

2. Description of Alternatives Considered

Write a brief description of alternative methods, designs, and locations you have considered before deciding on the particular project for which you are requesting a permit and describe why you feel the permit should be granted. Please review the design standards listed above when formulating your review of alternatives considered.

We have researched and determined that there are no alternative methods, designs, and locations regarding the crossover. Therefore, we request construction of a dune crossover at our location which will provide guests and owners direct access to the beach. The crossover would mitigate the opportunity for people to cross the dune fields on their discretion. Hence, the crossover would help preserve the dune fields and prevent disruption of the plants and wildlife habitat.

3. Landfill/Hazardous Waste Statement

Contact your local government engineer to find out if your site is over a hazardous waste site or landfill. If your county engineer is unable to answer your question, you may contact the State Hazardous Sites Response Program at (888) 373-5947. You can also check the internet at www.dnr.state.ga.us/dnr/environ then select Georgia Environment followed by Hazardous Sites. Provide a statement that you have inquired about the location of your site with respect to hazardous waste or landfills.

According to a study if the *Hazardous Site Index for Georgia*, the subject property is not located over a land fill or hazardous site, and is suitable for the

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proposed project.

4. Public Interest Statement

Provide a statement demonstrating that *each* of the following public interests have been considered:

- a. Whether or not unreasonably harmful, increased alteration of the dynamic dune field or submerged lands, or function of the sand-sharing system will be created.

As proposed, the project will not unreasonable harm the sand-sharing system. It has the potential of increasing the stability of the sand system by directing human traffic off the dune system and onto the crossover.

- b. Whether or not the granting of a permit and the completion of the applicant's proposal will unreasonably interfere with the conservation of marine life, wildlife, or other resources

As proposed, the dune crossover will not affect marine life, wild life, or other resources. It has the potential of increasing marine life, wild life, and other resources by directing human traffic off the dune system and onto the crossover.

- c. Whether or not the granting of a permit and the completion of the applicant's proposal will unreasonably interfere with access by and recreational use and enjoyment of public properties impacted by the project.

It is in the public's interest to protect said sand sharing systems. The crossover will enhance and preserve the dune system compared to how guest and owners currently access the beach.

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Drawings of the Proposed Project:

All drawings should be:

- a. Submitted on a registered survey or on the recorded plat of the property
- b. Submitted on 8 ½" by 11" paper or 11" X 17" (if needed to see details clearly), leave a 1" margin on the long side of each page for binding purposes
- c. Drawn to scale. Include a bar scale or other graphic scale and a North arrow.

Site plans should depict:

- a. Existing and proposed features, including streets, utilities, structures, boardwalks, etc.
- b. Any applicable local government building setbacks in the project area
- c. Erosion control devices, significant natural vegetation, landscaping, topographical features, significant drainage patterns
- d. DNR Shore Jurisdiction Line (**DNR staff must verify the Shore Jurisdiction Line and this line must be surveyed in by a registered surveyor**), the ordinary high and low waterlines and the toe of the dune find on S1.1 Drawing
- e. Dimensions of the structure/project find on S1.2 Drawing
- f. Square footage calculations will be helpful in understanding the proposal:
 1. Total sq. ft of the property 160,989 sq. ft. = 3.7 acres
 2. Total sq. ft of the proposed project footprint 2,200 sq. ft.
 3. Total sq. ft of the jurisdictional area 36,635.51 sq. ft.
 4. Total sq. ft of proposed project in jurisdictional area 1,074.14 sq. ft.
- g. Distance of the project into the waterway and to the navigable channel. Label existing structures in the navigable waters near the proposed activity.
- h. A Section/Elevation View should show a cross-section view of the project using the same water elevations as the Site Plan.
- i. Also show the depth of water at the water-ward face of the proposed project, the dimensions and names of structures supported on floats or piles, the distance between pilings, the number of pilings, types of materials used and construction technique

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Include additional CONSTRUCTION DRAWINGS as needed to clearly show the proposed project and how the project will be completed. For *SHORELINE ENGINEERING ACTIVITIES* (Bulkheads, revetments, etc.) show typical construction methods with respect to mean sea level for tiebacks, footings/foundations, type of material, slope of face, etc. For *BOARDWALKS* (walkways, decks, etc.) and *PIERS* show typical arrangement of posts/beams/decking, height above the dunes and existing vegetation, the height above any waters and the details of how and where boardwalks leave and meet the ground. For Parking Lots and other site improvements, show the type of surfacing, extent of curbing, drainage system, curb cuts, planting schemes, etc. Include the amount of fill and grading work that will take place. Indicate this graphically on the drawings and give total volume amounts.

Deed or Other Instrument of Title or Permission and Property Plat:

Provide a copy of the warranty deed or other legal instrument under which you claim title to the property and a plat of the project area. If the applicant is not the owner of the property, provide a copy of the owner's deed and written permission from the owner to carry out the project on his land. If the deed references a specific plat, it must also be included.

Vicinity Map and Directions to the Project Site:

Include a vicinity map that shows the location of the project, latitude and longitude, name of waterway, distance to nearest town or interstate highway, and a "north" arrow. Please provide driving directions to your project site.

Please see attached.

Adjoining Property Owners

On a copy of the plat, please show the names and addresses of adjacent property owners (include owners across the waterway). If the names of these property owners cannot be determined, you must provide an affidavit that you have diligently but unsuccessfully searched for this information. This search must include records of the local government's tax assessor's office.

Zoning Letter and Signed Drawings from Local Government:

Have your plans reviewed by the local government and submit:

1. a letter from the local zoning authority stating that this proposal does not violate any zoning laws. This letter must be specific to the project and cannot be conditional in any way.
2. a copy of the most current version of your plans, signed and dated by the local zoning authority. If the project is redesigned, the zoning authority must sign the latest plans. This ensures that there will be no confusion about which "version" of the project was approved.

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over landfill or hazardous waste site and that the site is otherwise suitable for the proposed project.

Signature of Applicant (not agent): Mike Ridgway Date: 10/8/19

Names and addresses of adjoining property owners

Atlantic Ocean Homes HOA President

Donna Rumsey
3784 Baccurate Place
Marietta, GA 30062

Summer Winds HOA Contact

Mike Caramico
P.O. Box 2217
Tybee Island, GA 31328

DeSoto Beach Club HOA Contact

Desoto Beach Club Condominiums HOA
P.O. Box 2581
Tybee Island, GA 31328

Center Street

Mariposa Properties LLC
6375 Westchester Court
Cummings, GA 30040

Shanghai East LLC

413 West Montgomery Street
Suite 502
Savannah, GA 31406

Albert F. Zulliger III

P.O. Box 1974
Tybee Island GA 31328

Naveed Aziz

118 Grand View Drive
Pooler, GA 31322

Barbara and Jeff Brown

175 Dwight Scott Road
Woodruff, SC 29388

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December 26, 2019

JUSTIFICATION FOR A BIFURCATED BOARDWALK CONNECTING TO THE DUNES CROSSOVER AT BEACHSIDE COLONY

The purpose of this document is to justify the boardwalk bifurcation at the dunes private crossover per the design submitted with the application for Beachside Colony Condominium Association (BCCA). The requested bifurcation will direct foot traffic appropriately to the BCCA privately owned pool area or to the public restaurant. The bases for the request to separate the boardwalk is founded in safety, insurance, the Associations documents, and the inherent difference between a restaurant serving the public and a private resort.

Directing foot traffic to the appropriate location via the bifurcation, prevents public trespassing to the Association private pool property and provides security to our guests. Only those people who have paid for the privilege and privacy of the pool should have use of it since it is private property and they should not expect to have interference and nuisance from public traffic. Likewise, if the only entrance from the boardwalk is at the restaurant, it would force BCCA owners and guests to travel through the restaurant to get to the private pool area causing disruptions to the restaurant patrons and increase the chance of an accident between servers, patrons, resort guests, and children.

Another aspect which necessitates the need for the bifurcation in the boardwalk is insurance. The Homeowners Association liability insurance and the restaurant's liability insurance are mutually exclusive and are paid by different entities. Our insurance carrier expects and requires the BCCA to restrict and monitor access to the BCCA property to only those owners and guests authorized to be on the premises. (Note that the BCCA assigns both parking and pool attendants for this very reason.) The insurance carriers are underwriting a private, not public entity. The bifurcated boardwalk would correctly direct beach goers who have an interest in the restaurant to the restaurant, and the owners and guests who would be returning from the beach to our pool area. Limiting access to our private pool area and restricting access to just owners and their guests, would limit our risk exposure.

Per the Association's by-laws and declaration, the pool area is common area for owners and guests; not the public, and is maintained solely by the Association and not the restaurant. On the other hand, the Association has no responsibility for the restaurant business. During the periods when BCCA closes and locks the pool area, e.g. evening hours, or maintenance/repairs activities, would prevent restaurants goers access to the restaurant. The bifurcated boardwalk resolves this conflict.

In conclusion, it is not appropriate to co-mingle private property and associated amenities with the general public for the aforementioned reasons (safety, maintenance, insurance and nuisance). In addition, the daily pool closures hours required a bifurcated boardwalk for restaurant access. The public foot traffic from the beach has no right to access the private amenities that owners and guests have specifically paid for. Would any of us want the public to use our private property as a segue to another location?

December 26, 2019

ANNUAL VISITOR COUNT TO THE BEACHSIDE COLONY CONDOMINIUM ASSOCIATION
COMPLEX (BCCA)

Based on the available feedback and data provided by Owners and two rental companies, it is estimated that approximately 125,000 visitors (Owners/renters) resided at BCCA complex during the twelve month period from June 1, 2018 to June 30, 2019. This estimate does not include the restaurant foot traffic (to be reported separately).

A very conservative assumption that each visitor goes to the beach only once per day would result in two trips over the dune (one going and one returning) resulting in 250,000 dune crossings per year. A realistic number of crossings would likely be much greater.

Beachside Colony's configuration is shown in the data table below. Data from forty-nine condo units was collected and represents a large 51% (49/97) sample and included all buildings and bedrooms (i.e. 1, 2, and 3 bedrooms). The data included such things as the number of nights different condo units were occupied and the number of occupants. This large sampling was used to analyze and estimate the entire BCCA complex visitors for a one year period.

This was done by determining:

the average number of occupants and average number of nights for 1 bedroom condo, 2 bedroom condo and 3 bedroom condo over the course of a twelve month period and knowing how many units have a specific bedroom configuration. This results in the total number of occupants for BCCA complex when added together. The specifics for each bedroom configuration at BCCA complex is shown below based on the data received:

1 bedroom units

Average number of occupants = 5.5 (based on an 11% sample)

Average number of nights = 237 (based on a 41% sample)

Number of 1 bedroom condo's = 18 units

$5.5 \times 237 \times 18 = 23,463$ occupants per year

2 bedrooms units

Average number of occupants = 5.6 (based on a 21% sample)

Average number of nights = 234 (based on a 78% sample)

Number of 2 bedroom condo's = 39 units

$5.6 \times 234 \times 39 = 51,105$ occupants per year

3 bedrooms units

Average number of occupants = 6.0 (based on an 18% sample)

Average number of nights = 210 (based on a 51% sample)

Number of 3 bedroom condo's = 40 units

$6 \times 210 \times 40 = 50,400$ occupants per year

Total Occupancy for 1 Year

$23,463 + 51,105 + 50,400 = 124,968$ occupants per year

Barreiro, Deb

From: Mike Ridgway <mikeridgway@columbus.rr.com>
Sent: Wednesday, October 16, 2019 12:37 PM
To: Barreiro, Deb
Cc: 'Michele Lebar'; 'Beachside Colony BOD'; 'Jenny Orr'
Subject: RE: Application for Crossover at Beachside Colony Tybee Island GA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Deb,
Thank you for your attention to our application for the cross-over.

Our Agent will be Chris Abell and her contact info is

aug1948@icloud.com

706 829-5989

Thank you,

Mike Ridgway
President, Beachside Colony Condominium Association

From: Barreiro, Deb [mailto:Deb.Barreiro@dnr.ga.gov]
Sent: Wednesday, October 16, 2019 8:59 AM
To: karen tilson <karentilson54@gmail.com>; Connie Langford <clangford0365@charter.net>
Cc: Michele Lebar <michele@msmsavannah.com>; Beachside Colony BOD <BOD@beachsidecolonyhoa.com>; Jenny Orr <1jennyorr@gmail.com>
Subject: RE: Application for Crossover at Beachside Colony Tybee Island GA

I received the application from Mr. Ridgway.
I received the plans from Marc Friedman.
I am waiting on the deed & plat associated with the project.

In an effort to make this process as efficient as possible for everyone,
please have the HOA President designate an agent for this project.
To help expedite this, the designation can be done by email
and followed up in writing.

Ideally,
the designated agent will be one individual that will be able to effectively communicate with me on behalf of the
interested parties.

thanks

From: karen tilson <karentilson54@gmail.com>
Sent: Monday, October 07, 2019 6:32 PM

Barreiro, Deb

From: Chris Abell <aug1948@icloud.com>
Sent: Monday, October 21, 2019 8:34 PM
To: Barreiro, Deb
Cc: Beachside Colony BOD
Subject: BCCA crossover

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Deb,

This is Chris Abell. I just want to introduce myself. I am on the Board of Directors for Beachside Colony Condominium Association and I am the contact agent for our dunes crossover project.

Just wanted to make sure you had my contact information, in case you had any questions or need additional documentation.

You can reach me by email at cgabell3@comcast.net or cell 706-829-5989.

We appreciate all your effort and time in helping us obtain the permit for the crossover.

Please let me know, if there is anything I can do to help us move the project to the finish line.

Have a great week!

Chris Abell

MAYOR
Jason Buelterman

CITY COUNCIL
Barry Brown, Mayor Pro Tem
Wanda Doyle
John Branigin
Monty Parks
Julie Livingston
Shirley Sessions



CITY MANAGER
Dr. Shawn Gillen

CITY CLERK
Janet LeViner

CITY ATTORNEY
Edward M. Hughes

CITY OF TYBEE ISLAND

July 30, 2019

GA Dept. of Natural Resources, Coastal Resources Division
One Conservation Way, Suite 300
Brunswick, GA 31520

Re: Beachside Colony
404 Butler Ave.
Tybee Island, GA 31328

To Whom It May Concern:

The Beachside Colony condominium property located at 404 Butler Ave. (PIN # 40004 20141) on Tybee Island is located in the C-1 zoning district. The construction of a dune crossover is allowed in this district with special review and City Council approval. City Council has granted that approval already.

Sincerely,

George Shaw
Community Development Director