



MARK WILLIAMS
COMMISSIONER

DOUG HAYMANS
DIRECTOR

MAR 23 2020

Bradley W. & Kim A. Elsby
1850 Settindown Drive
Roswell, Georgia 30075

Re: Letter of Permission (LOP) and Revocable License (RL) for Maintenance of a Private Dock, Lots 358A & 359A, Horsepen Creek, Chatham County, Georgia. (GPS: 31.99814°N/-80.85328°W)

Dear Mr. & Mr. Elsby:

This Letter of Permission (LOP) is in response to your request for the maintenance of a private dock that is not exempt from the Coastal Marshlands Protection Act (CMPA) due to the structure being attached to an upland parcel not suitable for a detached single-family residence pursuant to O.C.G.A § 12-5-295(7)(B). The structure was constructed prior to CMPA permitting requirements. The existing dock consists of a 6ft. x 30ft. walkway extending from the upland to a 7ft. x 10ft. fixed deck with a 10ft. x 13ft. covered fixed deck on the seaward side. Currently, a ramp extends seaward from the fixed deck to an unserviceable floating dock.

The proposal consists of replacing the walkway with handrails, re-stringing the deck platform, and adding hurricane clips. The unserviceable ramp and floating dock will be removed prior to completing the project. Re-construction of the previously existing floating dock, or any other modifications to existing configuration or footprint will require a CMPA Permit. The project will begin no sooner than 15 days after the date on this letter and be completed within 6 months of this letter's issuance.

The Department authorizes the maintenance of the existing private recreational dock as depicted in the attached description and drawings. No unauthorized equipment, materials, or debris may be placed in, disposed of, or stored in jurisdictional areas. All material removed must be disposed of at an appropriate upland disposal area. Any visible alterations in marsh topography will be restored immediately using low-impact hand tools. Any damage to the marsh vegetation that has not recovered naturally during the next growing season will be repaired by a method acceptable to the Department.

This authorization does not relieve you from obtaining any other required federal, state, or local permits. Tidal water bottoms and marshlands of coastal Georgia are public trust lands controlled by the State, except for such lands where a validated Crown Grant or State Grant exists. Please contact Sam LaBarba at (912) 264-7218 should you require more information.

Sincerely,



Jill Andrews
Chief, Coastal Management Section

Enclosures: Drawings, Description, and Revocable License

Cc: Chatham County Building Inspector
William Rutland, USACOE

File #: LOP20200017

STATE OF GEORGIA

REVOCABLE LICENSE REQUEST FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANTS NAME(S): Bradley W Elsby and Kim A Elsby

MAILING ADDRESS: 1850 Settindown Dr Roswell GA
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: Venetian Dr Tybee Island

COUNTY: Chatham WATERWAY: Horsepen Creek DATE: Feb 18 2020

LOT, BLOCK & SUBDIVISION NAME FROM DEED: Lot 358A and 359A Ward 4

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I am requesting that I be granted a revocable license from the State of Georgia to encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the 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. I acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR or his/her designee has signed a copy of this request.

Sincerely,

By: Bradley W Elsby
(Applicant), title if applicable

By: Kim A Elsby
(Applicant), title if applicable

The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power drawn nets under the provisions for commercial or sport bait shrimping. In its occupancy and use of the premises, licensee shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age, or disability. This covenant by licensee may be enforced by termination of this license, by injunction, and by any other remedy available at law to the Department. The project proposed for this license must be constructed and completed within **the specified timeframe associated with the authorization and/or transmittal letter associated with this revocable license** and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke this license and all structures must be removed immediately at the licensee's expense.

STATE OF GEORGIA
Office of the Governor

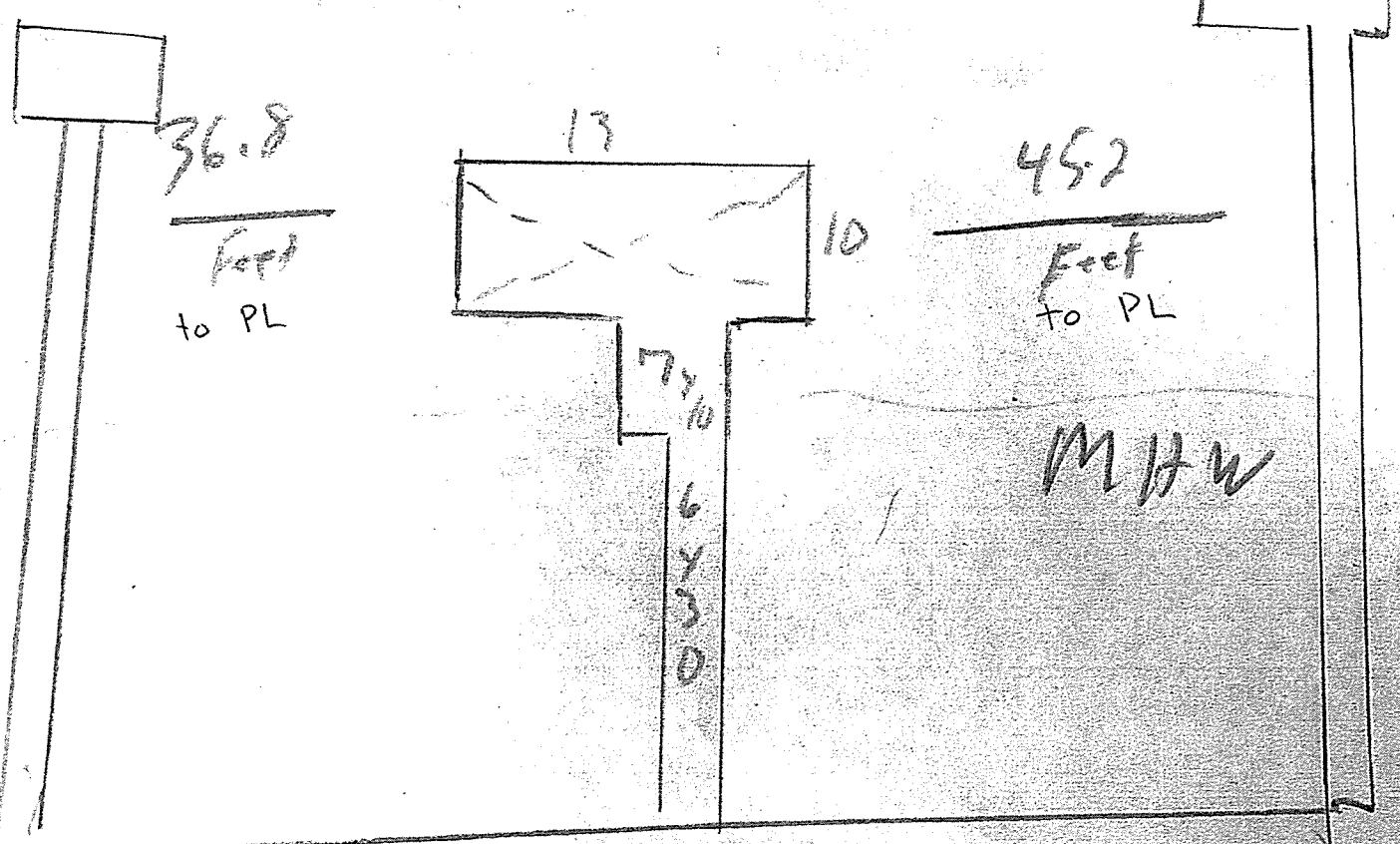
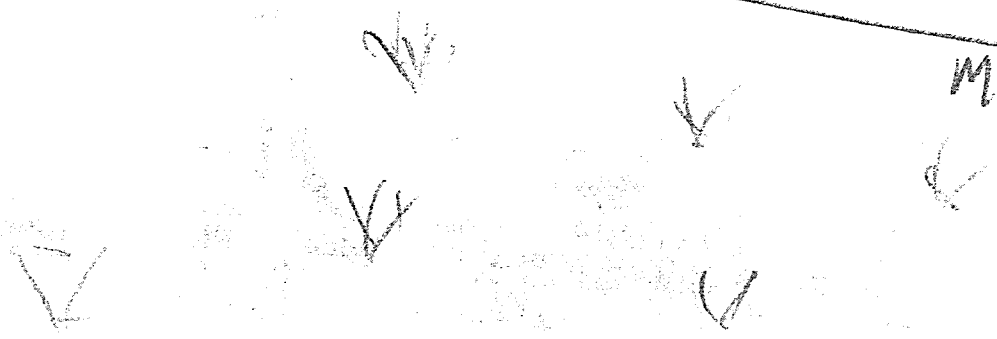
By: [Signature]
For: Mark Williams, Commissioner-DNR

Date: _____

Horse Creek

Creek

MLW



Venetian Drive

Lots 359 - 358A

Labarba, Sam

From: Shaun Reyes <sjreyes1978@icloud.com>
Sent: Wednesday, February 12, 2020 9:00 AM
To: Labarba, Sam
Cc: Labarba, Sam
Subject: Re: Tybee dock

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.

Sam

We are going to rip out and replace 40 foot of walkway with handrails, re string and deck platform, add hurricane clips. Remove ramp and any remaining float dock, will not rebuild float til we have permission. Job is located on Venetian drive on Tybee. You should have drawing and all other paperwork submitted by homeowner. No changes to current foot print

On Jan 31, 2020, at 1:07 PM, Labarba, Sam <sam.labarba@dnr.ga.gov> wrote:

Where is the drawing and description?

From: Shaun Reyes <sjreyes1978@icloud.com>
Sent: Friday, January 31, 2020 1:03 PM
To: Labarba, Sam <sam.labarba@dnr.ga.gov>
Subject: Re: Tybee dock

<image001.png>

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.

Sent from my iPhone

> On Jan 31, 2020, at 12:59 PM, Labarba, Sam <sam.labarba@dnr.ga.gov> wrote:

>

> Have you sent me a drawing yet?

>

> -----Original Message-----

> From: Shaun Reyes <sjreyes1978@icloud.com>

> Sent: Thursday, January 30, 2020 10:51 AM

> To: Labarba, Sam <sam.labarba@dnr.ga.gov>

> Subject: Tybee dock

>

> 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.

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> Sam not sure best way to get ahold of you, hoping we can have this LOP by Friday, I know your busy