

JEKYLL ISLAND CITIZENS ASSOCIATION

May 15, 2022

The Jekyll Island State Park Authority Board

Dear Sirs and Madam,

First, the Jekyll Island Citizens Association wants to acknowledge the hours that JIA Staff has dedicated to updating the Jekyll Island ordinances. As JIA mentioned in the RFP for the Code Revision project

“...revitalization has brought new interests, both residential and commercial, to Jekyll Island. As such, the JIA has determined that its codes and processes need to be revised to address the current and future demands of the island. “

We know that the intent of the project was to ensure that the Jekyll Island Ordinances maintain and protect “Georgia’s Jewel” for both the residents of the island and the thousands of visitors who travel to our shores every year. The ordinance proposals that you will be reviewing, to a very large extent, do what JIA intended.

Secondly, we want to acknowledge that JIA and GMC listened to the comments offered at the three public input sessions and via submitted written comments. These comments were made by both residents and nonresidents. We are appreciative to see that the final version of the proposals contains changes that reflect some of the concerns expressed during the public sessions.

That being said, JICA membership feels that there are still a few areas within the proposals that may have unintended consequences and which we feel, should be pointed out to the JISPA Board as they are reviewing the proposed ordinance updates.

To determine the opinions of our members, we dedicated our May monthly membership meeting to a detailed discussion of the ordinance proposals. To facilitate the discussion, we provided our members with a form to utilize in writing down their opinions, we also provided a table of contents for the proposals to help them navigate the large number of pages. The meeting was well attended, and we systematically went thru each of the chapters to listen to the concerns of our members. The items discussed below, represent the areas of major concern. Incidentally, the items mentioned below were not only identified by our membership, but those same concerns were voiced during the public input sessions facilitated by GMC.

The single largest area of concern was with Building Permits. In the final version of the proposal, released on May 13th, a significant improvement was made to reduce the amount of ambiguity that had existed in the previous version, due to words “all”, “any”, and “routine” used when indicating when building permits are required and what would be required to accompany the request for a building permit. The current ordinance revision now defines three tiers covering projects with differing scopes, eliminating much of the ambiguity that previously existed.



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While the addition of the tiers has helped, there are still areas that we feel should be changed. In the case below, while “all” is not specifically used in the ordinance it is implied.

Chapter D Building Codes, Section 4 Building Permits Section A states the application for a building permit shall be accompanied by “one (1) set of plans stamped by an architect, engineer or landscape architect, in PDF format together with written specifications of the work to be done.”

The requirement to have “plans stamped by an architect...” for most smaller scope projects, even if they require a building permit, was probably not intended and this wording may have been missed during the final revision, but it should be changed.

Also, there are still instances of ambiguous wording which cause concern because they beg the question, who makes the decision to resolve the ambiguity. In Chapter D, Article III Section 1, Local Building Requirements Subsection B, it states,

“Building requirements will be limited to such matters of improper construction which may endanger life or health, may be unsightly, or cause unnecessary inconvenience to neighbors.”

We understand that it is impossible to codify every variable and situation that might arise, and JIA needs to have the authority to control, based on their evaluation, “improper construction”, even when it is not specifically documented in the ordinance. We expect that these decisions will be made by either the Code Enforcement Officer or the Design Review Group. In either case, our expectation is that everyone, whether a resident doing a small project or a contractor doing a commercial project, has equal access to the appeals process as described in Chapter D, Article IV “Residential Project Review”, Section 6, “Appeal Request”

One other area that our membership identified as causing significant concern was the regulations for Tree Mitigation. Chapter E: Protection of Natural Features, Article I: Landscaping and Tree Protection, Section 6 states,

“Mitigation is required for removal of historic trees, heritage trees, or live oaks over two (2) inches dbh, even if the property meets minimum tree density factor. Mitigation will be required even if the tree is diseased, structurally compromised, or dies of natural causes.”

It is felt that the mitigation requirement, as stated in the second sentence, is an unreasonable requirement, especially as the trees specifically belong to JIA and any actions that are allowed to be performed on any of these trees is already strictly regulated by JIA. If a tree dies due to natural causes or acts of God, the lessee should not be held accountable for that loss. JIA can require the replacement of the removed tree, but they should provide the replacement, the lessee should not be liable for the cost of that replacement.

One other suggestion put forward by our membership, relative to all the ordinances, is for reference within the various sections that indicates the JIA staff position, department or agency that is responsible for the ordinance interpretation and enforcement.

In closing we applaud the amount of work that the JIA Staff has dedicated to updating the Jekyll Island Ordinances, especially with the inclusion of the new areas addressing, Stormwater, Flood Protection, Beach and Natural Resource Protection, Sea Level Rise Resilience, Planned Communities, and Business Regulations.

While our membership views the bulk of the proposed ordinances as appropriate and necessary to preserve, manage and protect the natural beauty of the island not only for us, but for all those who come here, we feel that the items mentioned above should be reviewed and addressed.

Thank you for your time and consideration,

Jekyll Island Citizens Association


Craig Patterson
President

Cc: Jones Hooks, JIA Executive Director