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## Endangered dunes

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TYBEE CITY Council's decision to deep-six its more stringent shoreline protection ordinance is a victory for developers, but could damage the habitat of more than shorebirds and sea turtles in the long run.

In a repeat of the first reading in mid-August, council members voted 4-2 to get rid of the local ordinance, preferring instead to rely on state regulations.

Previously, Tybee's rule called for no building beyond an imaginary line drawn from existing dwelling to existing dwelling. Before moving to end the island's local protection measure, the council also scuttled a proposed ordinance that would have split Tybee's beach into three zones: front, north and south. On the front beach, between the rock groins to the north and south, no building would have been allowed within 18 feet of the seawall or within 10 feet of the landward toe  $\frac{1}{2}$  of the sand dune, whichever is greater.

Development restrictions below the southern rock groin would have mirrored the front beach. In the absence of sea wall or dunes, any construction within 250 feet of the high water mark would have received special review.

For the northern beach, no development would have been allowed within 10 feet of the landward toe of the landward most dune. In areas with no dunes, the state Shore Protection Act would have applied. The state rule draws a line connecting a live, native tree more than 20 feet tall or structure existing on July 1, 1979.

This proposed ordinance allowed a good balance between ensuring private land use rights and protecting a dynamic, constantly changing barrier island from harmful encroachment.

Instead, the island's elected officials decided to go with the state's more lenient rule.

The decision was largely informed by two lawsuits filed by land developers challenging the island's old

rule. One suit was brought by Bobby Chu, who wants to build a 14-unit subdivision between Butler Avenue and the beach. Lou Keitzman has plans to build two houses atop historic Battery Backus on the island's north end.

The council's decision will likely remove any statutory hurdles blocking the developments.

But by bowing to pressure to build ever closer to the water, the Tybee City Council has opened the gates to the destruction of dunes that form a vital stopgap against beach erosion. The dunes also help to blunt the damage from high winds and storm surge associated with tropical storms.

In the end, allowing developers to replace dunes with houses could spell heartache for future homebuyers, whose properties will be even more vulnerable to the sea's tempests.

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