

AGENDA

Board of Zoning Appeals / Planning Commission Meeting
Tuesday, February 11, 2025 - 6:00pm

Pre-agenda @ 5:30pm

✧ Call to Order

✧ Roll Call

✧ Approval of Agenda – February 11, 2025 (1)

✧ Approval of Board of Zoning Appeals/Planning Commission Minutes

- December 10th, 2024 (5)
- January 11th, 2025 (13)

✧ Board of Zoning Appeals

- PC-2-25-1115: 136 Airport Park Drive, PIN 60988D02027: Scott Pinholster requests a variance to install a new CONEX (metal shipping container,) in an I-1 zoning for storage use. (14)
- PC-2-25-1116: 316 Chatham Villa Drive, PIN 60017 01009: Brenda Holmes requests a use approval for use 123 (Group home for disabled persons and personal care homes.) (21)

✧ Adjournment

✧ Planning Commission

- No Cases

✧ Adjournment

**PROCEDURES FOR CONDUCTING PUBLIC HEARINGS ON PROPOSED ZONING DECISIONS
BEFORE GARDEN CITY'S CONSOLIDATED BOARD OF ZONING APPEALS/PLANNING
COMMISSION AND STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWERS OF THE
BOARD OF ZONING APPEALS AND THE PLANNING COMMISSION**

I. Procedures for Conducting Public Hearings on Proposed Zoning Decisions:

All public hearings conducted by the Consolidated Board of Zoning Appeals/Planning Commission for Garden City, Georgia, on proposed zoning decisions shall be conducted as follows:

- (1) All public hearings conducted by the Consolidated Board of Zoning Appeals/Planning Commission on matters referred to it shall be called to order by the presiding officer.
- (2) The presiding officer shall open the hearing by stating the specific zoning matter being considered at the public hearing, and shall explain the procedures to be followed in the conduct of the hearing and further stating that printed copies of the adopted standards governing the exercise of the zoning powers of the Board of Zoning Appeals and Planning Commission, and the procedures governing hearings before the Board are available to the public.
- (3) The presiding officer shall determine the number of attendees who desire to testify or present evidence at the hearing.
- (4) When there is a large number of individuals wishing to testify at a hearing, the presiding officer may invoke time limits on individual speakers. In such cases, these time limits shall apply to all speakers. Proponents, including the petitioner or the petitioner's agent requesting the zoning decision, shall have no less than ten (10) minutes for the presentation of data, evidence, and expert opinions; opponents of the proposed decision shall have an equal minimum period of time. The presiding officer may grant additional time; provided, however, an equal period of time shall be granted both sides.
- (5) The petitioner requesting the proposed decision, or the petitioner's agent, shall be recognized first and shall be permitted to present and explain the request for the decision. Thereafter, all individuals who so desire shall be permitted to speak in favor of the matter.
- (6) After all individuals have had an opportunity to speak in accordance with subparagraph (5) above, those individuals present at the public hearing who wish to speak in opposition to the proposed decision shall have an opportunity to speak.
- (7) Once all parties have concluded their testimony, the presiding officer shall adjourn the public hearing.

II. Standards Governing the Exercise of The Zoning Powers of Garden City's Board of Zoning Appeals:

The Board of Zoning Appeals shall have the following powers:

- (1) To hear and decide appeals where it is alleging that there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of Chapter 90 of the Garden City Code of Ordinances.
- (2) To decide upon requests for permission to establish uses which the Board of Zoning Appeals is required to pass under the terms of Chapter 90 of the Garden City Code of Ordinances. The application to establish such use shall be approved on a finding of the Board of Zoning Appeals that:
 - (a) The proposed use does not affect adversely the general plans for the physical development of the city, as embodied in Chapter 90 of the Garden City Code of Ordinances and in any master plan or portion thereof adopted by the Mayor and Council.
 - (b) The proposed use will not be contrary to the purposes stated for Chapter 90 of the Garden City Code of Ordinances.
 - (c) The proposed use will not affect adversely the health and safety of residents and workers in the city.
 - (d) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.
 - (e) The proposed use will not adversely affect the existing uses in the neighborhood.
 - (f) The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of such use.
 - (g) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fume generation or type of physical activity.

- (h) The standards set forth for each particular use for which a permit may be granted have been met.

The Board of Zoning Appeals may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community and to protect the value and use of the property in the general neighborhood. The proposed use shall be subject to the minimum area, setback, and other locational requirements of the zoning district in which it will be located. The proposed use shall be subject to the off-street parking and service requirements of Chapter 90 of the Garden City Code of Ordinances. Wherever the Board of Zoning Appeals shall find, in the case of any permit granted pursuant to the provisions of said Chapter 90, that any of the terms, conditions or restrictions upon which such permit was granted are not being complied with, the Board shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.

- (3) To authorize upon appeal in specific cases such variance from the terms of Chapter 90 of the Garden City Code of Ordinances as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of said Chapter will, in an individual case, result in practical difficulty or unnecessary hardship. Such variance may be granted in such individual cases of practical difficulty or unnecessary hardship upon a finding by the Board of Appeals that:
- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
 - (b) The application of said Chapter 90 to this particular piece of property would create practical difficulty or unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and,
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of said Chapter 90.

No variance shall be granted for a use of land or building or structure that is prohibited by Chapter 90 of the Garden City Code of Ordinances.

III. Powers and Duties of the Planning Commission.

The Planning Commission is granted all powers and is assigned all duties that the City's Mayor and Council is authorized and empowered to grant and assign, to include the following:

- (1) Making comprehensive surveys and studies of existing conditions and probable future developments and preparing such plans for physical, social, and economic growth as will best promote the public health, safety, morals, convenience, prosperity, or general welfare, as well as efficiency and economy in the development of the city.
- (2) Preparing a master plan or parts thereof for the development of the city.
- (3) Preparing and recommending for adoption to the city council a zoning ordinance or resolution and map for the city.
- (4) Preparing and recommending for adoption to the city council regulations for the subdivision of land within the city, and administering the regulations that may be adopted.
- (5) Preparing and recommending for adoption to the city council a plat or an official map showing the exact location of the boundary lines of existing, proposed, extended, widened, or narrowed streets, public open spaces, or public building sites, together with regulations to control the erection of buildings or other structures within such lines, within the city or a specified portion thereof.
- (6) Making, publishing, and distributing maps, plans, and reports and recommendations relating to the master plan and development of the city to public officials and agencies, public utility companies and civic, educational, professional, and other organizations and citizens.
- (7) Recommending to the executive or legislative officials of the city programs for public improvements and the financing thereof.
- (8) Reviewing all proposed amendments to the zoning ordinance, the subdivision ordinance, and the zoning map, and making recommendation as per Garden City Code Section 90-201 in each case to the city council for approval or denial.
- (9) Approving site and development plans as per Garden City Code Sections 90-43, 90-47, 90-48 and 90-49.
- (10) Approving certain uses in the mixed-use zoning districts as per Garden City Code Section 90-49.

**PROCEDURES FOR CONDUCTING PUBLIC HEARINGS ON PROPOSED ZONING DECISIONS
BEFORE GARDEN CITY'S MAYOR AND COUNCIL
AND STANDARDS GOVERNING THE EXERCISE OF CITY COUNCIL'S ZONING POWER**

Procedures for Conducting Public Hearings on Proposed Zoning Decisions:

All public hearings conducted by the Board of Zoning Appeals for Garden City, Georgia, on proposed zoning decisions shall be conducted as follows:

- (1) All public hearings by the Mayor and Council on zoning amendments shall be chaired by the Mayor.
- (2) The Mayor shall open the hearing by stating the specific zoning amendment being considered at the public hearing and further stating that printed copies of the adopted standards governing the exercise of the Mayor and Council's zoning power and the procedures governing the hearing are available to the public.
- (3) The Director of the City's Planning and Zoning Department shall advise the Mayor and Council of the recommendation of the Planning Commission when applicable.
- (4) The Mayor shall determine the number of attendees who desire to testify or present evidence at the hearing.
- (5) When there is a large number of individuals wishing to testify at a hearing, the Mayor may invoke time limits on individual speakers. In such cases, these time limits shall apply to all speakers. Proponents, including the petitioner or the petitioner's agent requesting the zoning decision, shall have no less than ten (10) minutes for the presentation of data, evidence, and expert opinions; opponents of the proposed decision shall have an equal minimum period of time. The Mayor may grant additional time; provided, however, an equal period of time shall be granted both sides.
- (6) The petitioner requesting such zoning decision, or the applicant's agent, shall be recognized first and shall be permitted to present and explain the request for the zoning decision. Thereafter, all individuals who so desire shall be permitted to speak in favor of the zoning decision.
- (7) After all individuals have had an opportunity to speak in accordance with subparagraph (6) above, those individuals present at the public hearing who wish to speak in opposition to the requested zoning decision shall have an opportunity to speak.
- (8) The Mayor may limit repetitious comments in the interest of time and may call for a show of hands of those persons present in favor of or opposed to the proposed decision.
- (9) It shall be the duty of the Mayor to maintain decorum and to assure the public hearing on the proposed decision is conducted in a fair and orderly manner.
- (10) Once all parties have concluded their testimony, the Mayor shall adjourn the public hearing.

Standards Governing the Exercise of The Zoning Powers of Garden City's Mayor and Council:

Prior to making a zoning amendment, the Mayor and Council shall evaluate the merits of a proposed amendment according to the following criteria:

- (1) Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?
- (2) Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?
- (3) Could traffic created by the proposed use or other uses permissible under the zoning sought traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- (4) Will this request place irreversible limitations or cause material detriment on the area similarly zoned as it is or on future plans for it?
- (5) Is there an imminent need for the rezoning and is the property likely to be used for the use requested?
- (6) Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?

Board of Zoning Appeals/Planning Commission

December 10, 2024 - 6:00PM

Opening: Chair Bruner welcomed everyone and called the meeting to order.

Roll Call: Chair Michael Bruner; Parliamentarian, Charlie Orrel, Misty Selph, Wayne Joyner, Jeff Ashley, and Yurida Maldonado.

Staff: Denise Grabowski (Planning Manager -Consultant), Carlos Nevarez (Fire Marshal), and Jonathan Trego (Planning and Zoning Supervisor.)

Chair Bruner called for a motion to approve the agenda. Commissioner Perry made a motion to approve the agenda, with a second by Commissioner Selph; the vote passes with no opposition.

Chair Bruner asked for a motion to approve the November 12, 2024 minutes. Commissioner Perry made a motion to approve with second by Commissioner Selph; the vote passes with no opposition.

Board of Zoning Appeals

PC-11-24-1105: Brown Lifts and Equipment LLC requests a use approval to establish a use for use 91 (equipment rental and sales) at 810 Talmadge Avenue, PIN: 60928 01004.

Chair Bruner read the item, Denise Grabowski read the overview and staff recommendation.

Chair Bruner called the applicant forward.

Randy Brown approached.

Commissioner Selph asked about the type of fencing.

Mr. Brown says that is can be any type of fencing.

Commissioner Selph asked about parking.

Mr. Brown said the work on the structure is very pricey, and that is his focus right now.

Commissioner Selph asked about the landscaping.

Mr. Brown said that his wife wants to work on the landscaping.

Commissioner Selph said that she hopes it will be aesthetically pleasing.

Commissioner Perry asked about designated parking.

Mr. Brown said there would be designated parking.

Chair Bruner calls for a motion.

Commissioner Perry made a motion to approve, Commissioner Orrel seconded.

Commissioner Selph asked for discussion on solid fence, designated parking, and landscaping. Commissioner Perry modifies her motion. Vote passes 8-0.

PC 11-24-1106: Milin Patel requests a variance for 90-96 (d)(4)(d) (fencing) for use of a chain-link fence on a commercial property at 4804 Ogeechee Road, PIN: 60957 02007

Chair Bruner read the item and Denise Grabowski gave the overview and staff recommendation.

Chair Bruner called for the applicant to come forward.

Milin Patel came forward, he spoke about the history of illegal dumping issues, and how he applied for a fence permit to build a fence.

Chair Bruner called for public speakers. None came forward at this time.

Commissioner Orrel asked the applicant about the fence location.

The applicant explained the fence location.

Commissioner Ashley asked if this is adjacent to another case property.

Denise Grabowski said yes and referenced the other fence case.

Commissioner Perry called the applicant back up and asked the applicant who asked him to put the fence up.

Mr. Patel said that he applied for a fence and was approved.

Commissioner Perry asked if there has been any more dumping issues.

Mr. Patel said that this fixed the issue.

Chair Bruner called for a motion.

Commissioner Selph made a motion to approve, Commissioner Ahsley seconded, vote passes 7-1.

PC-11-24-1103: Brett Smith requests a variance for 90-260 (parking lot tree requirements) to reduce the number of trees at 0 and 1 Bryce Industrial Drive, PINS: 60989 01059 and 60989 01060.

Chair Bruner read the item and Denise Grabowski gave the overview and staff recommendation. This applicant has multiple variances.

Denise Grabowski spoke about the first two variances involving tree island reductions and encroachment into the front setback.

Denise Grabowski talked about the buffer reduction variance.

Denise Grabowski then talked about the fence variance and the encroachment on a public right of way.

Chair Bruner calls for the petitioner to come forward.

Brett Smith comes forward, he spoke about his business and the needs for the property. He needs as many parking spaces as possible and the ability to drive around the building.

Chair Bruner called for public speakers.

Commissioner Selph asked Denise Grabowski about the parking lot variance and if trees would be added elsewhere.

Denise Grabowski said they are meeting their tree density requirements.

Commissioner Perry calls the applicant back up and asks why a 2' encroachment is needed.

Mr. Smith talked about long vehicles and needing that extra room to turn around.

Chair Bruner said there would be concerns with it in the city right-of-way and having a fence on the property line.

Mr. Smith said it makes a huge difference for vehicles getting out.

Chair Bruner asked Denise Grabowski about buffers on the southside.

Denise Grabowski said they can give the discretion to move the building over.

Commissioner Selph what to know exactly where the 2' was needed.

Mr. Smith explained where it was.

Commissioner Perry asked if the applicant is granted an encroachment, would this be permanent.

Denise Grabowski said it would still be part of the city right-of-way.

Chair Bruner asked if they move the buffer if it can work.

Mr. Smith said yes.

Commissioner Selph asked if that would be agreeable to the applicant.

Commissioner Ashley said he is hesitant of city encroachment and escalation.

Chair Bruner called for a motion.

Commissioner Perry made a motion to approve with no encroachment, Commissioner Ashley seconded, vote passes 8-0.

PC-11-24-1104: Brett Smith requests a variance for 90-262 (buffer requirements) to reduce the buffer from 25' to 15' for a segment of the buffer adjoining a property at 0 and 1 Bryce Industrial Drive, PINS: 60989 01059 and 60989.

Commissioner Orrel made a motion to approve at the revised distances, Commissioner Selph seconded, vote passed 8-0.

PC-12-24-1107: Brett Smith requests a variance for 90-73 and 90-128 to allow parking lot encroachment into the front setbacks, at 0 and 1 Bryce Industrial Drive, PINS: 60989 01059 and 60989 01060.

Commissioner Perry made a motion to approve, Commissioner Ashley seconded, vote passed 8-0.

PC-11-24-1108: Brett Smith requests a variance for 90-96D (fence setbacks) to allow fencing beyond the fence setbacks at 0 and 1 Bryce Industrial Drive, PINS: 60989 01059 and 60989 01060.

Commissioner Orrel made a motion to approve with amendment that the fence no be over the property line, Commissioner Selph seconded, vote passes 8-0.

Commissioner Perry made a motion to adjourn the Board of Appeals, Commissioner Ashley seconded, vote passes with no opposition.

Planning Commission

PC-11-24-1109: Roberts Civil Engineering requests a full parcel rezoning to C-2 (currently split-zoned R-A and R-2) at 4602 Old Louisville Rd, PIN: 60883 02006.

Chair Bruner read the item, Denise Grabowski read the overview and staff recommendation.

Chair Bruner called the applicant forward.

Ken Straud approached, from Robert's Civil Engineering. He spoke on behalf of the application and spoke about potential future plans if the rezoning passes.

Paul Miller approached and claimed he is interested in developing the area to make the neighborhood bigger. He talked about meeting with neighbors.

Chair Bruner called for more speakers.

Commissioner Orrel said he is behind somebody moving forward, but he feels this is the last buffer between industrial and residential, and may not be the place.

Commissioner Ashley said he has concerns because if the zoning changes anything can happen there.

Chair Bruner asked Denise Grabowski if this would go to Council.

Chair Bruner said the request is for C-2 so there is no way to limit.

Paul Miller approached the podium to ask about zoning change conditions upon development.

Denise Grabowski said she did not recommend this.

Commissioner Orrel made a motion to deny, Commissioner Selph seconded, vote passes 7-1.

PC-11-24-1110: Maupin Engineering Inc requests a General Development Plan to expand an existing use at 8 Telfair Pl, PIN: 60737 01017.

Chair Bruner read the item, Denise Grabowski gave the staff overview and recommendations.

Chair Bruner called for the applicant.

Jay Maupin approached and spoke about the nature of the parcel and plans for the property.

Chair Bruner called for speakers.

Michael Roush came forward to speak, he said he is neither for or against, he just wanted to speak about concerns for the road and traffic. He also wanted to know what it will be used for.

Commissioner Perry asked if the applicant spoke to neighbors.

Mr. Maupin said the buildings are owned by the same person and did not anticipate opposition.

Commissioner Perry asked if there would be trucks.

Mr. Maupin said maybe 3 a week.

Chair Bruner mentioned the neighbors having truck traffic.

Chair Bruner called for a motion.

Commissioner Orrel made a motion to approve, Commissioner Perry seconded, vote passes 8-0.

PC-12-24-1112: Coleman Company Inc requests a General Development Plan for a fleet maintenance, fueling, and office space development, at 1580 Dean Forest Rd, PIN: 60988 02018.

Chair Bruner read the item, Denise Grabowski gave the overview and the staff recommendations.

Chair Bruner called the applicant forward.

Chuck Singleton approached and spoke about how this would be a fleet maintenance building for a private fleet.

Chair Bruner called for speakers.

Commissioner Selph asked about the fencing for the retention pond.

Chuck Singleton said there would be fencing.

Commissioner Perry said she needs clarification.

Mr, Singleton said where he wants to place the fencing.

Commissioner Orrel made a motion to approve, Commissioner Perry seconded, vote passes 8-0.

PC-12-24-1113: Verde Outdoor SE LLC requests a General Development Plan for a billboard at 0 Highway 16, PIN: 60877 01001.

Chair Bruner read the item and Denise Grabowski gave the overview and the staff recommendation.

Ben Jones spoke to speak on behalf of the application. He said all of the locations are public record and that he has legal access to the property. Ben Jones said there are at least 10 other billboards through the city within a 1000 feet of each other.

Chair Bruner asked about the 1000 ' clarification.

Denise Grabowski said it was face to face.

Commissioner Ashley asked Denise Grabowski to show where this sign would be.

Denise Grabowski pointed it out on a map.

Jed Renfroe approached to speak, he spoke about the other signs across the street.

Chair Bruner asked for other speakers.

Chair Bruner asked for a motion.

Commissioner Selph made a motion to deny, Commissioner Ashley seconded, vote passes 7-1.

Commissioner Selph made a motion to adjourn, Commissioner Ashley seconded, meeting adjourned.

Respectfully submitted,

JRT

Board of Zoning Appeals/Planning Commission

January 14, 2025 - 6:00PM

Opening: Chair Bruner welcomed everyone and called the meeting to order.

Roll Call: Chair Michael Bruner, Jenecia Perry, Charlie Orrel, Misty Selph, Jeff Ashley, and Yurida Maldonado. Wayne Joyner was absent.

Staff: Denise Grabowski (Planning Manager -Consultant), Carlos Nevarez (Fire Marshal), and Jonathan Trego (Zoning Administrator.)

Chair Bruner called for a motion to approve the agenda. Commissioner Perry made a motion to approve the agenda with a modification to remove the minutes approval, with a second by Commissioner Selph; the vote passes with no opposition.

Elections

Michael Bruner was nominated by Commissioner Perry and seconded by Commissioner Selph. Michael Bruner was voted 7-0 to remain Chair.

Chad Flowers was nominated for Vice-Chair by Commissioner Perry. Charlie Orrel was nominated for Vice-chair by Commissioner Ashley.

Chad Flowers received 2 votes in support and 5 votes in opposition. Charlie Orrel received 7 votes in support and zero votes in opposition, Charlie Orrel becomes Vice-chair.

Chad Flowers is appointed parliamentarian by the Chair.

Commissioner Perry gave comments about feeling the need for the Planning Commission to receive pay or a stipend.

Charlie Orrel made a motion to adjourn, there was a second by Commissioner Selph, vote passes without opposition. Meeting is adjourned for the training workshop.

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Jonathan Trego- Zoning Administrator
Date: January 17, 2025
Re: PC-2-25-1115 – 136 Airport Park Drive

Application Type	Use Approval
Applicant	Scott L Pinholster
Name of Project	Pinholster Construction LLC
Property Address	136 Airport Park Drive
Parcel IDs	60988D02027
Area of Property	0.95
Current Zoning	I-1
Current Land Use	(84) Building, heating, plumbing or electrical contractors and related construction contractors

GENERAL INFORMATION

Project Description: The applicant would like to replace an existing mobile office trailer (pictures) with a container box to use a storage.

Background/Additional Context: The proposed container would be behind a 10ft wooden privacy fence (must apply for permit). There are two existing containers in the property that have been use for storage only for many decades. Containers for storage building requires BOA approval.

(9) Incidental or accessory uses and buildings: R-A, R-1, R-2, R-I-N, C-1, C-2, C-2A, C-2A(B & W), I-1, I-2, M. Temporary accessory buildings shall not be permitted for more than a 24-month period. *Metal containers, shipping containers, other containers and vehicles designed to be transported on wheels, and any other building or structure not originally specifically designed as an accessory or storage building, shall not be permitted in R-1, R-2, R-A and R-I-N zoning districts, and shall be permitted only with the approval of the board of appeals in R-A, C-1(B), C-2(B), C-2A(B), I-1(B) and I-2(B) zoning districts.*

FINDINGS

Staff has determined this application is complete and contains all the required information. In conformance with the City of Garden City Zoning Ordinance Section 90-213(3).

ACTIONS

- i. *Approve the use request as presented;*
- ii. *Approve the use request with modifications or conditions, in conformance with the intent of the Zoning Ordinance;*
- iii. *Defer action of the proposed use request upon motion of the Planning Commission or at the request of the applicant. The applicant may revise the proposal based on the comments at the meeting and resubmit it for formal action at a future meeting; or*
- iv. *Deny the use request as presented.*

Note:

Approval, if granted, by the Planning Commission only constitutes the initial step in the overall process and additional requirements still must be met prior to commencement of any construction activities. The Petitioner should note that final approval of the site plan will require City staff approval of the detailed engineering plans for the project through the City's standard process and a Land Disturbance Activity (LDA) Permit must be issued prior to construction. The Petitioner should also note that final approval of the site architectural plans will require City staff approval via its standard process and a building permit must be issued before vertical construction shall commence.

RECOMMENDATION

Approve the applicant as submitted.

RECOMMENDED MOTION

I move to **approve** the use request for PC-2-25-1115.

City of Garden City Variance Application



Development Information

Development Name (If applicable)

Property Address

136 Airport Park Drive

Current Zoning

I-1

Current Use

Office & Shop

Parcel ID

60988D02027

Total Site Acreage

0.95

Section of the zoning code from which you are seeking a variance:

90-47(9)

Describe the variance request you are requesting.

Install a new CONEX to replace the old office trailer. The new CONEX will be behind a new 10' wooden fence +/-50 from the road.

Would denial of this request create practical difficulty or an unnecessary hardship?

Yes, the old office trailer is presently used for storage only and needs to be replaced.

Does the property have extraordinary and exceptional conditions because of its size, shape or topography?

two of the adjacent properties are CONEX use

Are the conditions of the property unique to this piece of property?

not really

Would approval of this variance request cause any detriment to adjoining properties or the community?

no

Please provide any additional information that you deem relevant.

Attached fence plan indicates new fence location and the location of the new CONEX. The removal plan shows the location of the existing office trailer.
We are at the end of street.

A sketch or site plan of the property, including the details variance request, is required. A hand-drawn sketch is permitted provided it is legible. Attach additional information as necessary.

Is a sketch or site plan attached? ☒ Yes ☐ No

City of Garden City Variance Application



Applicant Information

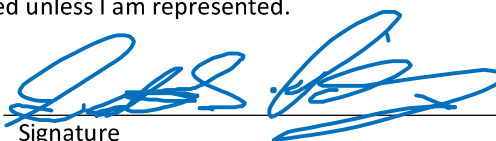
Owner	
Name	Address
Pinholster Construction LLC	136 Airport Park Drive
Phone	Email
912 963-2116	Scott@PINCO.biz
Nature of Ownership Interest	
Is the Owner an: <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Firm <input type="checkbox"/> Corporation <input type="checkbox"/> Association <input checked="" type="checkbox"/> Limited Liability Co.	
Note: If a corporation, submit a list of officers, directors & major stockholders with name, address and title. If a partnership, submit list of all partners with name, address and title.	
Engineer/Surveyor	<input type="checkbox"/> Same as authorized agent <input checked="" type="checkbox"/> Check here to receive staff review comments via email
Company Name	Contact (Individual Name)
	Scott L Pinholster
Phone	Email
912 398-0226	Scott@PINCO.biz
Authorized Agent (Requires Authorized Agent Form)	<input type="checkbox"/> Check here to receive staff review comments via email
Company Name	Contact (Individual Name)
Phone	Email
Campaign Contribution	
List below the names of local government officials, Garden City City Council, to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.	
Elected Official's Name	Amount or Description of Gift

I hereby certify that I am the owner or authorized agent for the property included in this development application. The information provided in this application is accurate and complete. I understand that any permit issued based on false or misleading information provided in this or subsequent applications will be null and void and subject to penalty as provided by law and ordinance.

I understand that I will need to attend or be represented by a duly authorized agent at the meeting of the Board of Zoning Appeals and that my application cannot be approved unless I am represented.

Scott L. Pinholster

Print Name


Signature

12/9/24

Date

This form and all required information must be completed in its entirety before it will be accepted by the City of Garden City. Failure to provide all required information may result in a delay in processing.

OFFICE USE ONLY		
Received By	Date Received	Case Number

Rev. 10/2024

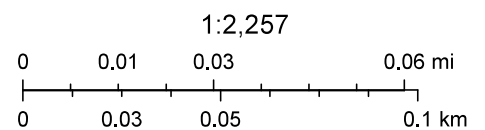


2/3/2025, 11:45:24 AM

Owner, PIN and Address Labels

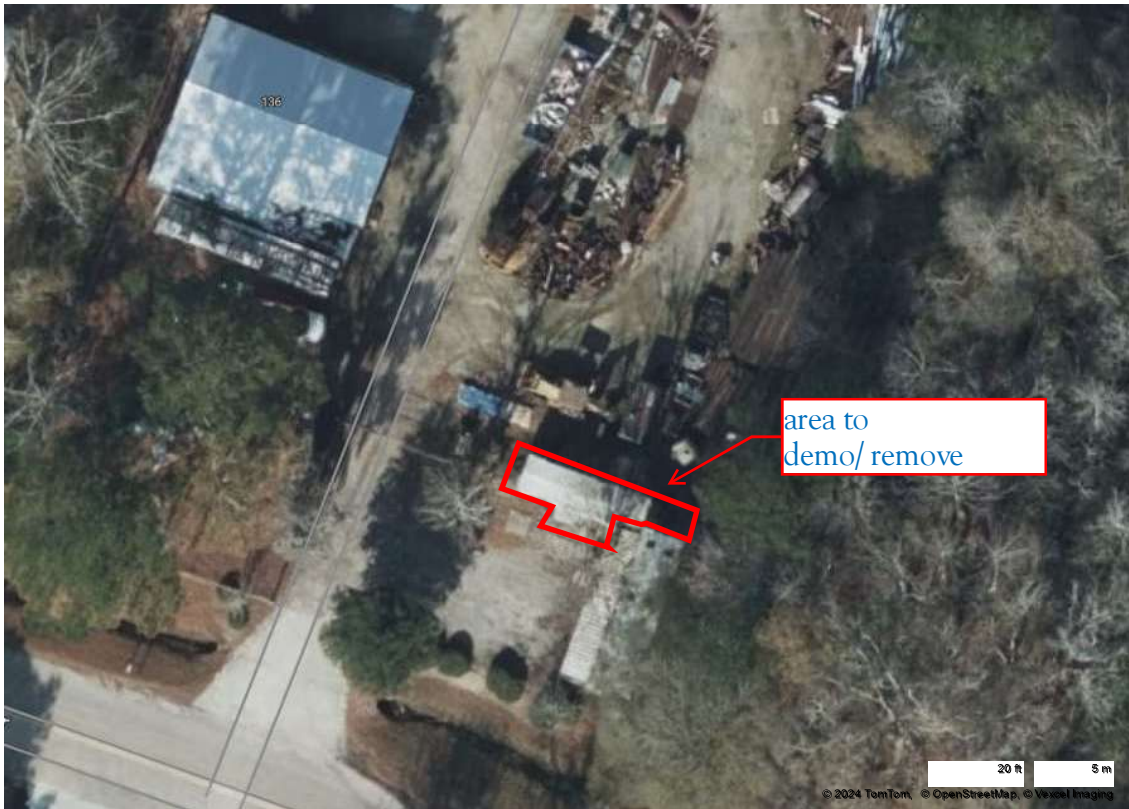


Property Boundaries (Parcels)



SAGIS

Demo Plan





MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Jonathan Trego- Zoning Administrator
Date: January 17th, 2025
Re: PC-2-25-1116 Use Request: 316 Chatham Villa Drive

<i>Application Type</i>	<i>Use Request</i>
<i>Case Number</i>	PC-2-25-1116
<i>Applicant</i>	Brenda Holmes
<i>Name of Project</i>	Chatham Villa Personal Care Home
<i>Property Address</i>	316 Chatham Villa Drive
<i>Parcel IDs</i>	60017 01009
<i>Area of Property</i>	.1716
<i>Current Zoning</i>	Residential
<i>Land Use</i>	(1) One-family dwelling

GENERAL INFORMATION

Project Description: The applicant is requesting approval for a personal care home in a residential community.

Additional Background: The property is a one-family dwelling located in the end of the Chatham Villa Drive. The home is approximately 1676 sq. ft. with no garage, driveway parking only.

Per the City of Garden City Zoning Ordinance, the requested use requires approval by the Board of Appeals. The requirements for the requested use are provided below:

(123) Group homes for disabled persons and personal care homes: R-1(B), R-2(B), R-A(B), R-I-N(B), M(B).

FINDINGS

City staff would like more details regarding the property, including proof that it can comply with the use requirements (below.) The City would like to obtain a floor plan of the property showing the dimensions of the rooms, halls and common areas, as well as indicating which rooms would house residents (and how many.) The City would also like to know the plan for parking given the on-street parking limitations in the area.

ACTIONS

The Planning Commission shall take one of the following formal actions:

- i. *Approve the use request* as presented;
- ii. *Approve the use request with modifications or conditions*, in conformance with the intent of the Zoning Ordinance;
- iii. *Defer action* of the proposed use request upon motion of the Planning Commission or at the request of the applicant. The applicant may revise the proposal based on the comments at the meeting and resubmit it for formal action at a future meeting; or
- iv. *Deny the use request* as presented.

USE REQUIREMENTS

(123) *Group homes for disabled persons and personal care homes*: R-1(B), R-2(B), R-A(B), R-I-N(B), M(B).

Such use shall be permitted provided that:

- a. Where an existing residential structure is used, there shall be no alterations or additions to the structure that shall change its residential character or use, and where permission is granted to expand any such structure, the general scale and proportion must conform to the general scale and proportion of existing residential structures within the immediate area.
- b. The location of the structure where the group home or personal care home is located shall pose no potential for danger to residents caused by surroundings.
- c. Minimum square footage requirements for the total number of occupants (residents, owners, and owners' family) shall meet those required for residential uses provided in the International Residential Code, the International Property Maintenance Code, the International Building Code, the International Fire Code, and the Life Safety Code.
- d. A group home or personal care home shall have an on-site manager who resides in the home and upon the premises.
- e. No facility shall provide any nursing or medical services to its residents or admit and retain residents who need continuous medical or nursing care.
- f. All facilities shall provide on-site laundry services and arrange for or provide transportation services to its residents.
- g. With respect to group homes providing counseling and peer group support for individuals who have successfully completed a treatment program at a rehabilitation center for the treatment of drug or alcohol dependency, no alcoholic beverages or controlled substances shall be stored, served, sold, consumed, or in the possession of any person in the facility.
- h. Group homes shall provide the city's fire and police departments a current list of residents living in the facility who have disabilities, and information concerning special needs so as to ensure each resident's safety and removal from the premises in the event of a fire or similar emergency with the home.
- i. All facilities shall comply with state regulations and acquire applicable state licenses for operation.
- j. All facilities shall comply with the registration requirements of the Georgia Department of Community Development with respect to providing said department with copies of all state licenses and documentation.
- k. The facility satisfies all parking standards of the city.

I. The facility applies for and receives a Garden City business license and/or occupational tax certificate.

RECOMMENDATION

Table for the applicant to provide more information at the discretion of the Board of Appeals.

RECOMMENDED MOTION

I move to **table** the use request for application PC-2-25-1116 until the March 2025 meeting.

Note:

Approval, if granted, by the Planning Commission only constitutes the initial step in the overall process and additional requirements still must be met prior to commencement of any construction activities. The Petitioner should note that final approval of the site plan will require City staff approval of the detailed engineering plans for the project through the City's standard process and a Land Disturbance Activity (LDA) Permit must be issued prior to construction. The Petitioner should also note that final approval of the site architectural plans will require City staff approval via its standard process and a building permit must be issued before vertical construction shall commence.

City of Garden City Board of Appeals Use Request



GARDEN CITY

Development Information

PC-2-25-1116

Development Name (If applicable)

VA Personal Care Home

Property Address

316 Chatham Villa Dr. Garden City GA 31408

Parcel ID

60017 01009

Total Site Acreage

.1716

Current Zoning

R-1

Current Use

Residential

Provide the use number and use from the Garden City Zoning Ordinance (Sec. 90-47) you are requesting:

Use Number:

123

Use:

Group home for disabled persons & personal care homes

Do you affirm to abide by all conditions/regulations required conditions/regulations as outlined in the Garden City Zoning Ordinance (Sec. 90-47)? ☐ Yes ☐ No ☐ Not Applicable

Detailed project description including the character and intended use of the development. Please provide any additional information that you deem relevant, particularly as related to the criteria listed below. Attach additional pages as needed.

I am interested in becoming a Medical Foster Home Caregiver for homeless Veterans. Some of my family members are U.S.A Veterans. I work for the State of Georgia and in the Department of Behavior Health Developmental Disabilities (DBHDD) for over eleven years. As a healthcare provider, I would like to open my home to help the Veteran carry out activities of daily living. A medical Foster Home is an alternative, but not a nursing home. While living in the Medical Foster Home, Veterans and people with disabilities will receive Home Based Primary Care, and supervision 24 hours a day, 7 days a week.

The application to establish such use shall be evaluated on the basis that the proposed use:

- Does not affect adversely the general plans for the physical development of the city
- Will not be contrary to the purposes of the zoning ordinance
- Will not affect adversely the health and safety of residents and workers in the city
- Will not be detrimental to the use or development of adjacent properties or the general neighborhood
- Will not adversely affect the existing uses in the neighborhood
- Will be placed on a lot of sufficient size to satisfy the space requirements of such use
- Will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fume generation or type of physical activity
- Meets the standards set forth for the particular use set forth in Section 90-47 (where applicable)

City of Garden City Variance Application



G A R D E N C I T Y

Applicant Information

Owner	
Name <u>Brenda Holmes</u>	Address <u>316 Chatham Villa</u>
Phone <u>912.224.7939</u>	Email <u>holmesbrendaj@yahoo.com</u>

Nature of Ownership Interest
 Is the Owner an: ☒ Individual ☐ Partnership ☐ Sole Proprietor ☐ Firm ☐ Corporation ☐ Association
 Note: If a corporation, submit a list of officers, directors & major stockholders with name, address and title.
 If a partnership, submit a list of all partners with name, address and title.

Engineer/Surveyor <input type="checkbox"/> Same as authorized agent <input type="checkbox"/> Check here to receive staff review comments via email	
Company Name	Contact (Individual Name)
Phone	Email

Authorized Agent (Requires Authorized Agent Form) <input type="checkbox"/> Check here to receive staff review comments via email	
Company Name	Contact (Individual Name)
Phone	Email

Campaign Contribution
 List below the names of local government officials, Garden City City Council, to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Official's Name	Amount or Description of Gift

I hereby certify that I am the owner or authorized agent for the property included in this development application. The information provided in this application is accurate and complete. I understand that any permit issued based on false or misleading information provided in this or subsequent applications will be null and void and subject to penalty as provided by law and ordinance.

I understand that I will need to attend or be represented by a duly authorized agent at the meeting of the Board of Zoning Appeals and that my application cannot be approved unless I am represented.

Brenda Holmes Brenda Holmes 1/7/25
 Print Name Signature Date

OFFICE USE ONLY		
Received By <u>CLN</u>	Date Received <u>1-07-2025</u>	Case Number

Rev. 10/2024



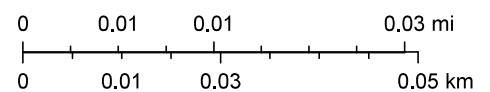
2/3/2025, 11:41:49 AM

Owner, PIN and Address Labels



Property Boundaries (Parcels)

1:1,128



SAGIS

Zoning/Permitted Use Verification



Submitted on	13 December 2024, 10:49AM
Receipt number	327
Related form version	0

Contact Information

Parcel Identification No. (PIN):	60017 01009
Address:	316 Chatham Villa Drive Garden City GA
Describe fully all business activities or intended use of property:	In 2025, I am planning to operate a personal care home for veterans.
Proposed Business or Project:	VA personal care home
	limited Liability
Requestor:	Brenda J. Holmes
Phone:	9122247939
Requestor Email:	holmesbrendaj@yahoo.com

Point of Contact for Inspection If Different than Requestor:

Name:

Phone:

Address:

Disclaimer

Applicant Signature:



[Uploaded signature image: my.profile.pic.jpg](#)

Print Name: BRENDA J Holmes

Date: 12/13/2024

******Office Use Only******

Current Zoning District R-1

Use No. & Title (123) Group home for disabled persons and personal care homes

Use Permitted in Zoning District: Require Board of Appeals Use Approval

Verification Date: 07JAN2025

Authorized Official/Title Jonathan Trego/ Zoning Administrator

Permit Number: N/A

Inspection Approval Date: N/A

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

403.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the *structure* in accordance with the manufacturer’s instructions.

Exception: Listed and *labeled* condensing (ductless) clothes dryers.

SECTION 404
OCCUPANCY LIMITATIONS

404.1 Privacy. *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall be not less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passage-way of 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. *Habitable spaces*, hall-ways, corridors, laundry areas, *bathrooms*, *toilet rooms* and habitable *basement* areas shall have a minimum clear ceiling height of 7 feet (2134 mm).

Exceptions:

- 1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not greater than 6 inches (152 mm) below the required ceiling height.
- 2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of 6 feet 8 inches (2033 mm) with a minimum clear height of 6 feet 4 inches (1932 mm) under beams, girders, ducts and similar obstructions.
- 3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 5 feet (1524 mm) shall be included.

404.4 Bedroom and living room requirements. Every *bedroom* and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Room area. Every living room shall contain not less than 120 square feet (11.2 m²) and every bedroom shall contain not less than 70 square feet (6.5 m²) and every bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m²) of floor area for each *occupant* thereof.

404.4.2 Access from bedrooms. *Bedrooms* shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only means of egress from other *habitable spaces*.

Exception: Units that contain fewer than two *bedrooms*.

404.4.3 Water closet accessibility. Every *bedroom* shall have access to not less than one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to not less than one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.

404.4.4 Prohibited occupancy. Kitchens and nonhabit-able spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. *Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities require-ments of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.5 Overcrowding. *Dwelling units* shall not be occupied by more *occupants* than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a, b}	120	120	150
Dining room ^{a, b}	No requirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

For SI: 1 square foot = 0.0929 m².
a. See Section 404.5.2 for combined living room/dining room spaces.
b. See Section 404.5.1 for limitations on determining the minimum occu-pancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleep-ing area in determining the minimum occupancy area for sleeping purposes. Sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to func-tion as a combination living room/dining room.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

- 1. A unit occupied by not more than one *occupant* shall have a minimum clear floor area of 120 square feet (11.2 m²). A unit occupied by not more than two *occupants* shall have a minimum clear floor area of 220 square feet (20.4 m²). A unit occupied by three *occupants* shall have a minimum clear floor area of 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
- 2. The unit shall be provided with a kitchen sink, cook-ing appliance and refrigeration facilities, each having a minimum clear working space of 30 inches

(762 mm) in front. Light and *ventilation* conforming to this code shall be provided.

3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

404.7 Food preparation. Spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

SECTION R304 MINIMUM ROOM AREAS

R304.1 Minimum area.

Habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²).

Exception: Kitchens.

R304.2 Minimum dimensions.

Habitable rooms shall be not less than 7 feet (2134 mm) in any horizontal dimension.

Exception: Kitchens.

R304.3 Height effect on room area.

Portions of a room with a sloping ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet (2134 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

SECTION R305 CEILING HEIGHT

R305.1 Minimum height.

Habitable space, hallways and portions of *basements* containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm). Bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches (2032 mm).

Exceptions:

1. For rooms with sloped ceilings, the required floor area of the room shall have a ceiling height of not less than 5 feet (1524 mm) and not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet (2134 mm).
2. The ceiling height above bathroom and toilet room fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a ceiling height of not less than 6 feet 8 inches (2032 mm) above an area of not less than 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.
3. Beams, girders, ducts or other obstructions in *basements* containing *habitable space* shall be permitted to project to within 6 feet 4 inches (1931 mm) of the finished floor.

R305.1.1 Basements.

Portions of *basements* that do not contain *habitable space* or hallways shall have a ceiling height of not less than 6 feet 8 inches (2032 mm).

Exception: At beams, girders, ducts or other obstructions, the ceiling height shall be not less than 6 feet 4 inches (1931 mm) from the finished floor.

Geriatrics and Extended Care

Medical Foster Homes



What is a Medical Foster Home?

Medical Foster Homes are private homes in which a trained caregiver provides services to a few individuals. Some, but not all, residents are Veterans. A Medical Foster Home can serve as an alternative to a nursing home. It may be appropriate for Veterans who require nursing home care but prefer a non-institutional setting with fewer residents.

Medical Foster Homes are private residences where the caregiver and relief caregivers provide care and supervision 24 hours a day, 7 days a week. This caregiver can help the Veteran carry out activities of daily living, such as bathing and getting dressed. VA ensures that the caregiver is well trained to provide VA planned care. While living in a Medical Foster Home, Veterans receive Home Based Primary Care.

VA Medical Centers with Medical Foster Home programs

This list includes the VA Medical Centers currently operating a Medical Foster Home program. However, many facilities are in various stages of development of their own programs. Please reach out to your VA social worker to inquire about when a Medical Foster Home will be available at your local facility.

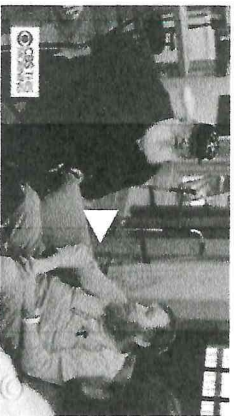
Medical Foster Home in the News

Southern Living: Foster Families for Veterans Keep America's Heroes in the Homes They Deserve

People Magazine: Indiana Family of Eight Fosters Three Veterans Who Are Disabled: 'We're One Big Family Now'

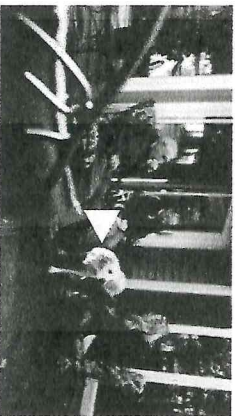
Are you interested in becoming a Medical Foster Home?

If you are interested in becoming a Medical Foster Home (MFH) Caregiver, review the Medical Foster Home Checklist for more information, then reach out to your local MFH Coordinator.

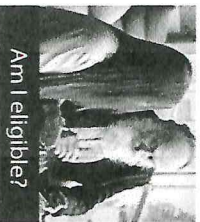


Three war heroes, two parents and six kids live together in Greenville, Indiana as part of the Medical Foster Home Program.

Overview of the Medical Foster Home Program



Learn more about the Medical Foster Home Program and how the VA provides oversight. Take a tour of a Medical Foster Home. As one resident says, "It gives you more security, more feeling of belonging, and that's good."



Am I eligible for a Medical Foster Home?

Medical Foster Homes are not provided or paid for by VA. To be eligible for a Medical Foster Home you need to be enrolled in Home Based Primary Care, and a Home needs to be available. Services may vary by location.

Your VA social worker or case manager can help you with eligibility guidelines for Home Based Primary Care and Medical Foster Home care.

You will have to pay for the Medical Foster Home yourself or through other insurance. The charge for a Medical Foster Home is about \$1,500 to \$3,000 each month based on your income and the level of care you need. The specific cost is agreed upon ahead of time by you and the Medical Foster Home caregiver.

Talk with a VA social worker/case manager to find out if you are entitled to additional VA benefits that will help pay for a Medical Foster Home.

Find out more by visiting the Paying for Long Term Care section at www.va.gov/Geriatrics.



What services can I get?

You will continue to receive Home Based Primary Care services in the Medical Foster Home. You may also receive the following services from the Medical Foster Home caregiver.

For Veterans:

- Help with your activities of daily living (e.g., bathing and getting dressed)
- Help taking your medications
- Some nursing assistance
- All of your meals
- Planned recreational and social activities

For Caregivers:

- Peace of mind having a caregiver able to provide care for 24 hours a day, 7 days a week
- A place to enjoy spending time with the Veteran



How do I decide if a Medical Foster Home is right for me?

You can use a [Veteran Decision Aid for Care at Home or in the Community](#) to help you figure out what home care services or long term care services may best meet your needs now or in the future.

There's also a [Caregiver Self-Assessment](#). It can help your caregiver identify their own needs and decide how much support they can offer to you. Having this information from your caregiver, along with the involvement of your care team and social worker, will help you reach short-term and long-term care decisions.

Ask your social worker for these resources or download copies from the [Making Decisions](#) page at www.va.gov/Geriatrics.

If a Medical Foster Home seems right for you, your VA social worker can help you locate one and assist with making arrangements.