

AGENDA

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

Pre-agenda @ 5:30pm

✧ **Call to Order**

✧ **Roll Call**

✧ **Approval of Agenda – March 11, 2025**

✧ **Approval of Board of Zoning Appeals/Planning Commission Minutes**

- (5) February 11th, 2025

✧ **Board of Zoning Appeals**

- (8) PC-3-25-1117: Raymundo Moguel Tepanca requests a variance for fencing requirement 90-96(c)(1) to install a new fence in the front yard of a residential property (R-1,) at 107 Salt Creek Rd, PIN: 60990 06010.
- (17) PC-3-25-1118: Robin Smiley (MHP Savannah Air LLC) requests a variance to expand a nonconforming use in incompatible zoning (property is split zoned, new proposed lot is in the C-2A portion which is nonconforming) at 5008 Ogeechee Rd, PIN:60990C02009.

✧ **Adjournment**

✧ **Planning Commission**

- PC-10-24-1098: Verbal update for 1514 Telfair Rd (no action to be taken.)

✧ **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

February 11, 2025 - 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 Jenecia Perry.

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

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

Chair Bruner asked for a motion to approve the minutes.

Commissioner Perry made a motion to approve with second by Commissioner Selph; the vote passes with no opposition.

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.

Jonathan Trego provided an overview of the application.

The applicant stated that the old office needs replacing and the container will be placed behind a new fence. The applicant and staff discussed whether or not the building would be allowed for only 2 years or if this application would be sufficient. Jonathan Trego stated that he would need a variance to allow it for more than 2 years. The existing containers were on the property prior to the property.

No public comment.

Motion by Commissioner Selph for approval for 24 months, seconded by Commissioner Ashley. **The vote carried unanimously.**

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.)

Jonathan Trego provided the staff report. The property owner will live on the property to care for clients who live in the home. Mr. Trego stated the staff would like to know more information about the room sizes, number of rooms, and other details relating to the proposed use.

Brenda Homes, 316 Chatham Villa Drive. Ms. Homes stated that she is interested in being a homecare provider for homeless veterans. There are programs in Charleston and Augusta. Program for dependent and chronically ill veterans. She has experience working with special needs children, 20 years of experience teaching special education.

Commissioner Perry asked if any modifications have been made to the home.

Ms. Holmes stated the carpet was removed and new floors installed. The house has been cleaned, painted, and additional renovations were made in 1980s. The home has 4 bedrooms plus a closed in garage that was made a finished space. She is proposing to have 3 clients living in the home. The home is over 1600 square feet. She will also live in the home.

Commissioner Selph asked for clarification that these would be long-term residents, and not there on only a temporary basis.

Commissioner Perry stated that she has done research and is also a veteran. She is aware of the program as an alternative to nursing homes. The VA takes an active role in placing veterans. This program provides 24-7 care and allows the veterans to be part of a family. This provides an opportunity for the veterans to maintain their independence. The VA inspects the home and support services are provided by the VA. Commissioner Perry commended Ms. Holmes for her willingness to open her home in service.

Commissioner Selph asked if this is the first time she is doing this. She asked if this would require inspection by the city. Jonathan Trego responded he would need to get clarification.

Commissioner Ashley asked for clarification of the word 'dependent' for the veterans who would stay here. Ms. Holmes responded that some veterans need assistance with eating, bathing, walking, etc., although some are self-sufficient.

Commissioner Orell stated that the VA will guide this, and some more information will be coming forward. The City wants to ensure that everything is done correctly, but he thinks the group supports what Ms. Holmes is trying to do, although he doesn't know if he is speaking for the whole board, although he feels this is a positive thing.

Ms. Holmes stated it is a good quiet neighborhood.

Commissioner Perry asked if an application has been submitted to the VA. She stated it has.

Commissioner Selph asked if the applicant has been made aware of the additional information needed. Mr. Trego stated that she is aware of all

The requirements are in the packet. Mr. Trego reviewed the requirements:

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.

Councilman Hall, as a member of the audience, asked if Ms. Holmes will be the sole proprietor? Does she have a back-up if she becomes ill or hospitalized? Ms. Holmes responded yes, she will hire two people as back up who will also be trained.

Motion by Commissioner Perry for approval pending the requested items are submitted to city staff.
Second by Commissioner Orell.

Discussion – Commissioner Perry stated that all of these items should be in her VA packet.

Jonathan Trego stated that if all information is available, review should be conducted within 10 days.

Commissioner Perry stated that it should not require much to be able to approve the application.

Commissioner Selph asked how long the VA approval will take. Ms. Holmes is not sure, but she did not anticipate it would be very long.

Commissioner Perry stated that the VA approval could take 6 months to a year to complete.

The vote carried unanimously.

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals

From: Jonathan Trego- Zoning Administrator

Date: February 26, 2025

Re: PC-3-25-1117 – 107 Salt Creek Rd

<i>Application Type</i>	<i>Use Approval</i>
<i>Applicant</i>	Raymundo Moguel Tepanca
<i>Name of Project</i>	Fence -Residence
<i>Property Address</i>	107 Salt Creek Road
<i>Parcel IDs</i>	60990 06010
<i>Area of Property</i>	6.85
<i>Current Zoning</i>	R-1
<i>Current Land Use</i>	Residential Use

GENERAL INFORMATION

Project Description: The applicant obtained a fence permit for the backyard, however the applicant would like to expand the permit to build fencing in the front yard.

Background/Additional Context: The applicant obtained a fence permit, which was approved for a rear yard (behind the primary residence,) fence. However, the applicant began to install posts in the front yard not in accordance to the approved plans. A stop work order was issued. The applicant was told the posts in the front yard need to be removed or a variance obtained for front yard fencing per the residential subsection of the walls and fences ordinance (below.)

90-96-Walls and fences

(c) *Residential districts.* Fences and walls located in residential districts shall be subject to the following restrictions:

(1) Fences shall not be permitted in front yards or areas extending from any street right-of-way line to the existing building line of the main primary residence.

(2) No wall or fence shall exceed six feet in height within a side or rear yard.

(3) Wire fences and nondecorative metal fences (e.g. fences constructed of roofing tin) are prohibited. Chain link fence as well as fences made of wood and masonry materials are acceptable.

(4) If a wooden fence has only one finished face, the finished side shall face the exterior property line.

(5) All swimming pools shall be completely enclosed by a fence at least four feet in height or a screen enclosure. Openings in the fence shall not permit the passage of a six-inch diameter sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates. Walls and fences erected for the specific purpose of providing security for accessory recreational uses, such as swimming pools and tennis courts, may be ten feet in height, provided such fence shall be set back at least one foot from the property line for each foot it exceeds six feet in height, and provided such accessory recreational use is located within a rear yard. All of the provisions pertaining to fences, including design and location, shall apply.

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).

In accordance with City of Garden City Zoning ordinance Section 38-40(1), staff has not determined a good and sufficient cause for this variance or that a hardship would be created from the lack of a granted variance:

(1) A variance shall be issued only when there is:

- a. A finding of good and sufficient cause,
- b. A determination that failure to grant the variance would result in exceptional hardship, and;
- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

ACTIONS

- i. *Approve the use variance* as presented;
- ii. *Approve the variance 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

Deny the applicant as submitted.

RECOMMENDED MOTION

I move to **Deny** the use request for PC-3-25-1117.

City of Garden City Variance Application



Development Information

Development Name (If applicable)

Fence

Property Address

107 Salt creek Rd
Savannah, GA, 31405

Current Zoning

R-1

Current Use

Parcel ID

60990 06010

Total Site Acreage

6.8

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

90-96 (a)(1)

Describe the variance request you are requesting.

Requesting a 3 Foot high Fence

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

NO

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

NO

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

Si Yes

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.

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
Raymundo Moguel Tepanca	107 Salt Creek Rd unit B
Phone	Email
(912) 944-8702	1constructionkings@gmail.com
Nature of Ownership Interest	
Is the Owner an: <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Sole Proprietor <input type="checkbox"/> Firm <input type="checkbox"/> Corporation <input type="checkbox"/> Association	
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 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.

Raymundo moguel Raymundo moguel 01-17-2025
 Print Name Signature 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

SALT CREEK ROAD
60' R/W

APPROVED BY THE MAYOR OF GARDEN CITY

MAX	DATE
-----	------

APPROX BY THE CITY OF LOS ANGELES

CLERK	DATE
-------	------

ALL STREETS, RIGHTS-OF-WAY, EASEMENTS, AND
ANY SITES FOR PUBLIC USE AS NOTED ON THIS
PLAN ARE HEREBY DEDICATED FOR THE USES INTENDED

OWNER

COVER

DEBORAH CALLAHAN
PIN: 60950601602

101 154
WINTERS CAPITAL PROPERTIES, LLC
PIN: 60990 06011

6' Wood
4' Chain Link

7TH GM. DISTRICT, GARDEN CITY,
CHATHAM COUNTY, GEORGIA

[illegible]

PAGE TWO 00000 00000
Surrey For RAYMONDO NOGUEL TEPANCA &
EVELYN EDITH SANCHEZ RAMIREZ

Vincent Helmly
129-A BURTON ROAD
SAVANNAH, GEORGIA 31405
(912) 429-9395
FIELD SURVEY DATE: 7/13/2023
DATE: 7/13/2023 JOB NO. 23-151

REFERENCE:
1. SWE A. P.

08/27/97

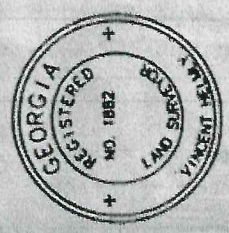
- 95-IRON PIPE FOUND
- 97-IRON ROD FOUND
- CMF-CONCRETE MONUMENT FOUND
- 96-5/8" IRON ROD SET
- CLF-CHAIN LINK FENCE
- CM-CEP WARE
- CMF-OVERHEAD POWER
- PP-POWER POLE
- EBY-ELECTRIC BOX

NOTES

- 1 THE TOTAL PLAT AREA IS 6.711 ACRES.
- 2 TOTAL NUMBER OF NEW LOTS IS TWO
- 3 LOTS ARE SERVED BY INDIVIDUAL WELLS AND SANITARY
- 4 SEWER SEPTIC SYSTEMS
- 5 ACCORDING TO FIRM MAP NUMBER 1351C1046,
- 6 EFFECTIVE DATE 8/16/2018, THE PARCEL SHOWN
- HEREON LIES IN ZONE 1A AND ZONE 1. ZONE 1A
- IS A SPECIAL FLOOD HAZARD AREA, BASE FLOOD
- ELEVATION 8' NAVD 83
- THIS PROPERTY IS CURRENTLY ZONED R-1
- THE HORIZONTAL DATUM IS BASED ON GEOID 1988.
- GEORGIA STATE PLANNING, EAST ZONE, AND R1

ERROR OF CLOSURE:

FIELD: 1/93, 589
ANGULAR ERROR OF 2" PER
ANGLE POINT AND ADJUSTED
BY LEAST SQUARES METHOD
PLAT CLOSURE 1/214.813
EQUIPMENT: TOPCON DT5236W
TOTAL STATION; SINGLE PRISM

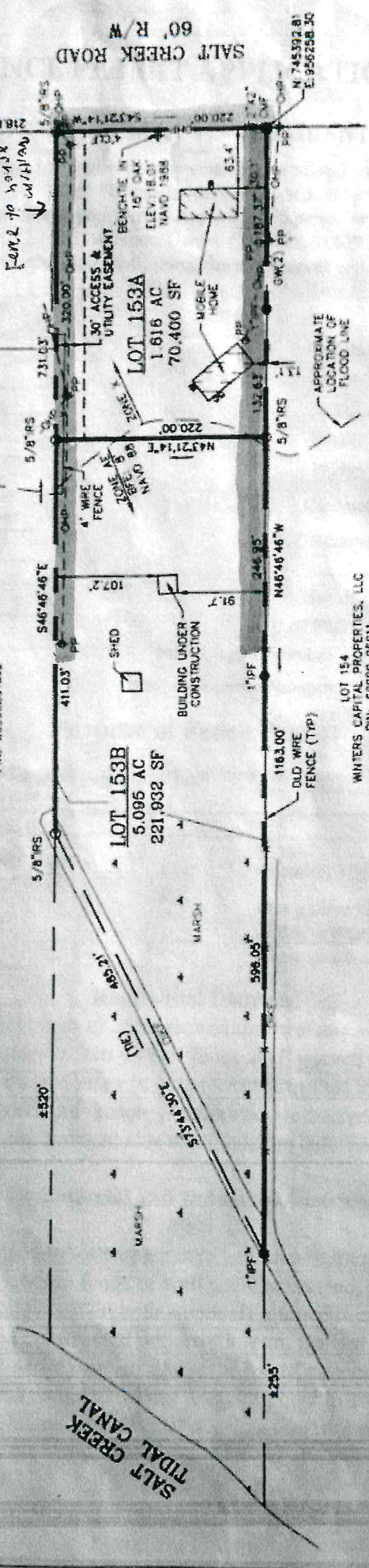
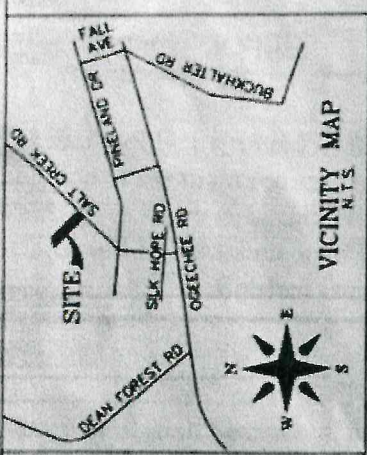


SURVEYOR'S CERTIFICATION

AS REQUIRED BY SUBSECTION (b) OF O.C.G.A. SECTION 15-6-47, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS ENCLOSED BY ADDITIONAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON.

SUCH APPROVALS OR AFFIRMATIONS SHOULD BE COMPARED WITH THE APPROPRIATE CONVENTIONAL BOOKS BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTEREST USE OF ANY PARCEL THEREUNDER. THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLETES WITH THE NUMBER TECHNICAL STAMPS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL SURVEYORS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-47.

12/12/23
DATE



MEMORANDUM

To: Garden City Planning Commission & Board of Appeals

From: Jonathan Trego- Zoning Administrator

Date: February 26, 2025

Re: PC-3-25-1118 – 5008 Ogeechee Rd

<i>Application Type</i>	<i>Use Approval</i>
<i>Applicant</i>	MHP Savannah Air LLC
<i>Name of Project</i>	New Mobile Home Lot (Lot 68)
<i>Property Address</i>	5008 Ogeechee Rd
<i>Parcel IDs</i>	60990C02009
<i>Area of Property</i>	10.85
<i>Current Zoning</i>	I-1/C-2A (Split Zoned – C2A in project location)
<i>Current Land Use</i>	Mobile Home Park

GENERAL INFORMATION

Project Description: The applicant would like to expand a nonconforming use by installing a new mobile home lot in a part of the mobile home park that is zoned C-2A.

Background/Additional Context: The applicant obtained a mobile home permit for a new mobile home. However, code enforcement observed that a new lot was being created in a section of the property that was zoned C-2A. After annexation this property was split zoned with the Ogeechee Road frontage being C-2A, and the mobile home portion being I-1, this was to prevent Mobile Homes from having close proximity to the roadway, and any mobile home lots that existed within the C-2A portion can continue to exist as a nonconforming use, but any new lots would require a variance to expand a nonconforming use.

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).

conformance with the City of Garden City Zoning Ordinance Section 90-213(3).

In accordance with City of Garden City Zoning ordinance Section 38-40(1), staff has not determined a good and sufficient cause for this variance or that a hardship would be created from the lack of a granted variance:

(1) A variance shall be issued only when there is:

- a. A finding of good and sufficient cause,
- b. A determination that failure to grant the variance would result in exceptional hardship, and;
- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

ACTIONS

- i. *Approve the use variance* as presented;
- ii. *Approve the variance 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

Deny the applicant as submitted.

RECOMMENDED MOTION

I move to **Deny** the use request for PC-3-25-1118.

City of Garden City Variance Application



Development Information

Development Name (If applicable)

Plantation Mobile Estates

Property Address

5008 Ogeechee Rd Savannah, GA 31405

Current Zoning

C-2A / I-1 (Split Zoned - Front portion is C-2A along Ogeechee Rd, rear portion is I-1)

Current Use

Residential Mobile Home Park

Parcel ID

6-099-9000-2009

Total Site Acreage

10.9

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

Sec 90-9

Describe the variance request you are requesting.

Reestablish lot / land

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

Yes

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

No

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

Yes

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.

Mobile Home Community, prior mobile home was sat in 2005 and removed. The lot has not been used since.

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 Agent Authorization Form



Applicant Information

Owner	
Name	Address
MHP Savannah Air, LLC	5008 Ogeechee Rd Sav, GA 31405
Phone	Email
912-665-4540	Robin.Smiley1015@gmail.com Celizarod20@gmail.com
Development Name (if applicable)	
Plantation Mobile Estates	

I, the undersigned, do hereby certify that I am the owner of the property affected by the proposed application to the Garden City Planning Commission. I/We, the undersigned owner(s) of property involved in this application, do hereby authorize Robin Smiley to act as Agent for the attached application in my/our behalf.

<u>Arthur Kelly</u>	<u>[Signature]</u>	<u>30-Jan-2025</u>
Print Name	Signature	Date
_____	_____	_____
Print Name	Signature	Date
_____	_____	_____
Print Name	Signature	Date

Authorized Agent	
Company Name	Contact (Individual Name)
MHP Savannah Air, LLC	
Phone	Email
912-665-4540	Robin.Smiley1015@gmail.com

I accept this authorization to act as Agent on behalf of the above owner(s).

<u>Robin Smiley</u>	<u>[Signature]</u>	<u>1-30-25</u>
Print Name	Signature	Date

City of Garden City Variance Application



Applicant Information

Owner	
Name	Address
MHP Savannah Air, LLC	5008 Ogeechee Rd Sav, GA 31405
Phone	Email
912-665-4540	Celizarodao@gmail.com
Nature of Ownership Interest	
Is the Owner an: <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Sole Proprietor <input type="checkbox"/> Firm <input type="checkbox"/> Corporation <input type="checkbox"/> Association	
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 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)
MHP Savannah Air, LLC	Robin Smiley
Phone	Email
912-665-4540	Robin.Smiley1015@gmail.com
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.

Print Name: Robin Smiley
 Signature: [Signature]
 Date: 1-30-25

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

65AA

63

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43

41

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39

38

37

50

51

52

53

54

58

61

0

20

21

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5

4

3

2

1

29

33

34

35

33A

35A

Lawn Mower

Office

Supplies

Supplies

RAI

Mail Box

TRPS

Bus St

5008 Oaeechee Road

5008 Ogeechee Rd

Drawn 2025

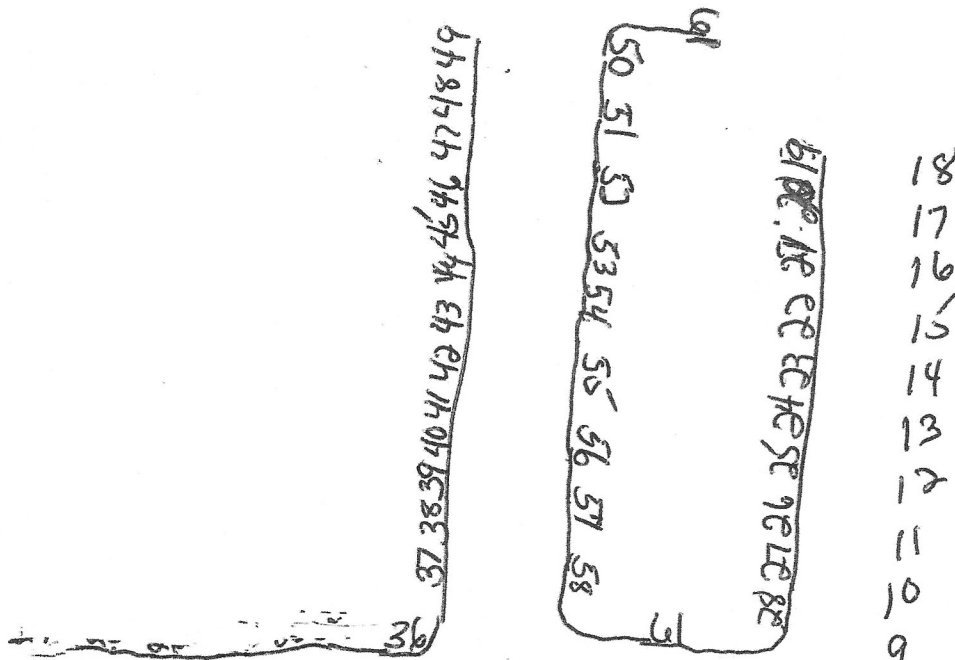
65 65 65A

A1 A2 A3 A4 A5 A6 A7 A8

A9 A10 A11 A12

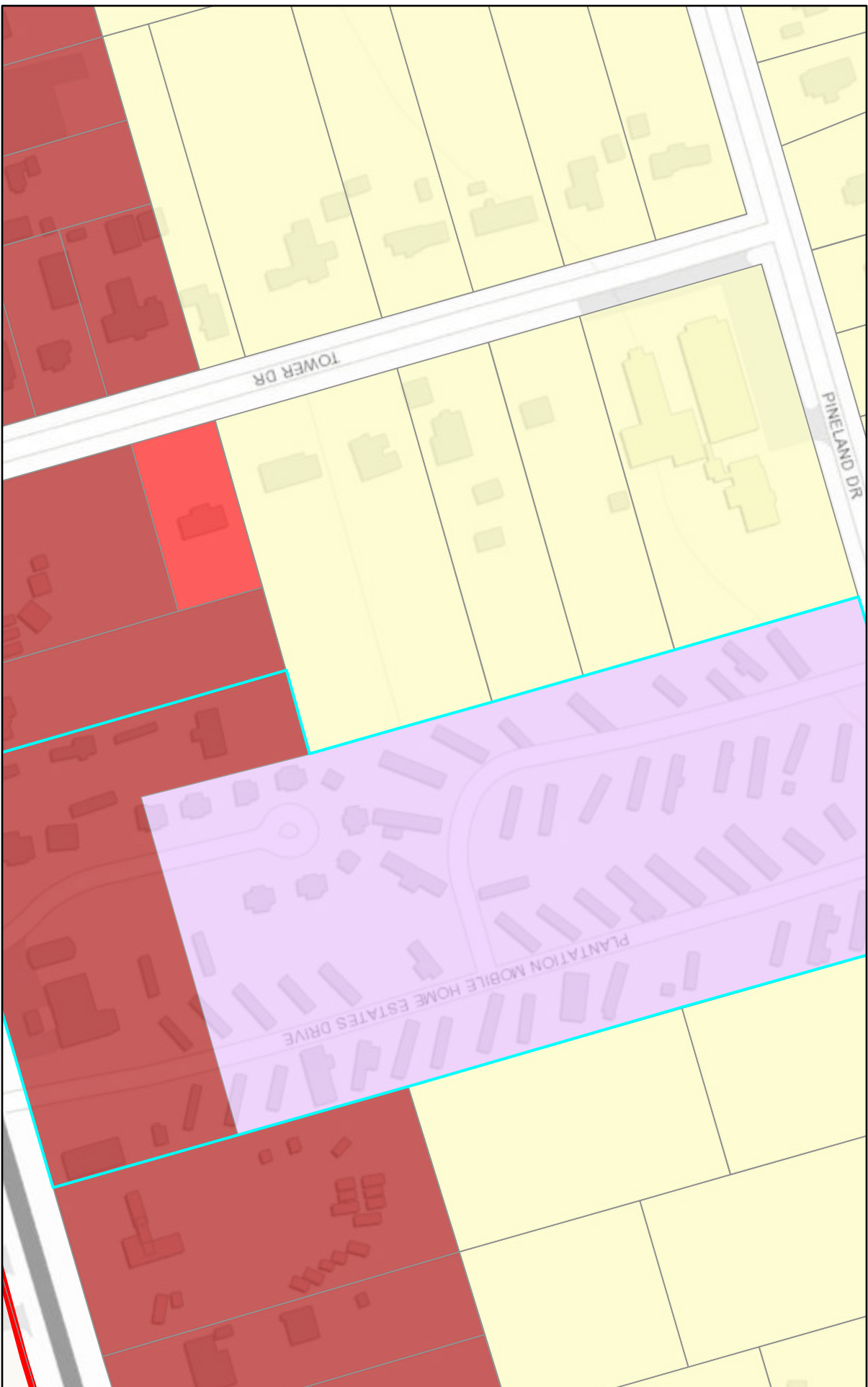
35A 34A 33A 32

35 34 33 32 31 30 29



Camper Lot A1

City of Garden City



3/4/2025, 2:21:44 PM

- Chatham County Parcels
- C-2A = Heavy Commercial with Alcoholic Sales
- Garden City Limits
- I-1 = Industrial
- R-1 = Residential
- C-2 = Heavy Commercial

1:2,257
0 0.01 0.03 0.05 0.1 mi
0 0.03 0.05 0.1 km

Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, USDA

Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |