

AGENDA

Board of Zoning Appeals / Planning Commission Meeting
Tuesday, January 9, 2024 - 6:00pm

Pre-agenda @ 5:00pm

- **Call to Order**
- **Roll Call**
- **Approval of Agenda** —
 - January 9, 2024
- **Approval of Board of Zoning Appeals/Planning Commission Minutes**
 - December 12, 2023
- **Zoning Appeals**
- PC01-24-1067: Neil Sanders request a variance of Sec. 90-96(d)(4)(d) for 31 Minus Avenue: PIN 60016 02022 to erect a fence/screening for security purposes.
- PC01-24-1072: Global Investment Traders, LLC requests a variance of Sec. 90-12(reduction in lot size) to subdivide 4021 6th Street; PIN 60019 10016 into two substandard lots.
- **Adjournment**
- **Planning Commission**
 - **Old Business**
 - PC2338: Harold Yellin, representing 1143 & 1445 Dean Forest Road LLC request to rezone 5524 Silk Hope Road; PIN 10990 01011 from R-A to R-2.
 - PC2333: Cathy Parlor and Brian Newberry request to rezone 1909 US Highway 80; PIN 60880 01006 from C-2 to I-1/C-2. This submittal is tabled at the petitioner's request.
 - **New Business**
 - PC01-24-1072: Global Investment Traders, LLC requests a variance of Sec. 90-12(reduction in lot size) to subdivide 4021 6th Street; PIN 60019 10016 into two substandard lots. Due to Sec. 70-38 Recommendation to be heard by Planning Commission. See Previous Staff Memorandum
 - PC01-24-1068: Lou Ferrando request a sign application review to erect a billboard at 1398 Dean Forest Road; PIN 60989 01016A
 - PC01-24-1069: August Breton request to rezone 4602 Old Louisville Road; PIN 60883 02006 from R-A to C-1/R-1. This item is to be removed from the agenda.
 - PC01-24-1070: Scott Allison request a general development plan review of 1727 Old Dean Forest Road; PIN 60988 03006 for proposed use as a gas station and convenience store with associated parking.
 - PC01-24-1071: Brett Smith request a general development plan review of Bryce Industrial Drive; PIN 60989 01060 and Bryce Industrial Drive; PIN 60989 01059 for proposed use as an autobody collision center with a tentative request for Sec.90-262 for a reduction in buffer requirements allowed with a C-2 use.
- **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 12, 2023 - 6:00PM

Opening: Vice-Chair Perry welcomed everyone and called the meeting to order.

Roll Call: Jenecia Perry; Vice-Chair, Michael Bruner; Parliamentarian, Jeff Ashley, Nancy Cox, Charlie Orrell and Misty Selph.

Billy Jackson; Chair and Gary Monroe were absent.

Staff: Denise Grabowski (Planning Manager -Consultant), Jonathan Trego (Planning and Zoning Supervisor), and Tonya Roper (Permitting and Inspections Coordinator)

Visitors: Enclosed

Vice-Chair Perry (acting Chair) asked for a motion to approve the agenda. Commissioner Selph made a motion to approve the agenda with a second by Commissioner Cox, the vote passes with no opposition.

Vice-Chair Perry asked for a motion to approve the November 13, 2023 minutes. Commissioner Orrell made a motion to approve with second by Commissioner Selph; the vote passes with no opposition.

Board of Zoning Appeals

PC2336: Robert McCorkle, III representing owner SSC Airport Park, LLC request to establish a use as a sales and rental of lift trucks, parts and repair to be located at 113 Airport Park Drive; a use which requires Board of Appeals approval. PIN 60988D 02019.

Vice-Chair Perry read the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the use approval request.

Robert McCorkle, attorney for the business owner spoke in support of his client's application and explained the background and the area.

Commissioner Orrell asked about where onsite repair activities would occur.

Robert McCorkle explained that such activities would be inside a structure.

Commissioner Selph asked Denise Grabowski about this zoning and why this was required.

Denise Grabowski explained how the current version of the zoning ordinance was written.

Vice-Chair Perry asked for additional speakers from the public, there being none, called for a motion. Commissioner Selph made a motion to approve, Commissioner Cox seconded. Vote passes with no opposition.

Vice Chair Perry called for a motion to adjourn the Board of Zoning Appeals/Planning Commission meeting. Commissioner Orrell made a motion to close this portion of the meeting, Commissioner Cox seconded, vote passes with no opposition.

Planning Commission

Vice Chair Perry called the Planning Commission meeting to order.

PC2338: Harold Yellin, representing 1143 & 1445 Dean Forest Road LLC request to rezone 1445 Dean Forest Road; PIN 60990 01007 from R-A to R-2 and 5524 Silk Hope Road; PIN 10990 01011 from R-A to R-2. Chair Jackson gave a reading of the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended denial of the rezoning.

Vice-Chair Perry asked for a motion to table the petition until the January meeting per applicant request. Commissioner Orrell made the motion to continue the hearing, and Commissioner Cox seconded, vote passes with no opposition.

Vice-Chair Perry calls for a motion to adjourn. Commissioner Cox makes a motion to adjourn, Commissioner Orrell seconds; motion passes with no opposition.

Respectfully submitted,

JRT

emailed 11-16-23
NJ



GARDEN CITY

City of Garden City Variance Application

Development Information

Development Name (If applicable)

Property Address

31 Minus Avenue, Savannah, Ga. 31408

Current Zoning	Current Use
C-2A	Tanker Fleet Terminal
Parcel ID	Total Site Acreage
60016-02022	2.60

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

90-96 (d) (4) (d)

Describe the variance request you are requesting.

Erect a new 8 foot chain link fence/screening to replace old chain link fence left on 2 sides of the lot, This would enclose back and side portions of lot for safety and security.

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

Wanted chain link due to cost and ease of repair and up keep over other types. It also would be of the kind that the neighboring businesses have in place now. See attachment 1.

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?

No

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 Page 2 & 3 are of old existing fence now, to be replaced. 90-96 (d) (4) (d) also states "industrial districts" can use chain link. Attached is a zoning map, tax assessment, and property card that reflect Industrial also.

Attachment 1 shows neighbors at corner with chain link, I am trying to be conform with what is already here.

City of Garden City Variance Application



GARDEN CITY

Applicant Information

Owner	
Name	Address
BOS, Inc.	P.O. Box 68, Allendale, SC 29810
Phone	Email
803-584-3461 (Office) 803-300-1763 (cell)	neil@mabbetttransport.com

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. *see attached*

If a partnership: Submit list of all partners with name, address and title.

Engineer/Surveyor ☐ Same as authorized agent ☐ Check here to receive staff review comments via email

Company Name	Contact (Individual Name)
MITR	Mike Ferreira
Phone	Email
912-657-3091	mitr374@comcast.net

Authorized Agent (Requires Authorized Agent Form) ☐ 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
N/A	N/A

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.

Neil Sanders

Print Name

Neil Sanders
Signature

11/16/2023

Date

OFFICE USE ONLY

Received By	Date Received	Case Number
Submittal Format <input type="checkbox"/> Electronic <input type="checkbox"/> Paper <input type="checkbox"/> Both	Fee Amount Paid	Invoice Number

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Denise R. Grabowski, AICP, LEED AP, Planning Manager Consultant
Date: January 3, 2024
Re: PC01-24-1067 – 31 Minus Avenue

Application Type	Variance
Case Number	PC01-24-1067
Applicant	Neil Sanders
Name of Project	NA
Property Address	31 Minus Avenue
Parcel IDs	60016 02022
Area of Property	2.60
Current Zoning	C-2A
Current Land Use	Tanker Fleet Terminal

GENERAL INFORMATION

Project Description: The applicant is requesting the use of chain link fence to replace an existing chain link fence. The applicant is requesting a variance from section 90-96(d)(4)(d) of the Garden City Zoning Ordinance:

(4) Walls and fences erected in commercial districts shall not exceed eight feet in height and in industrial districts shall not exceed ten feet in height, subject to the following:

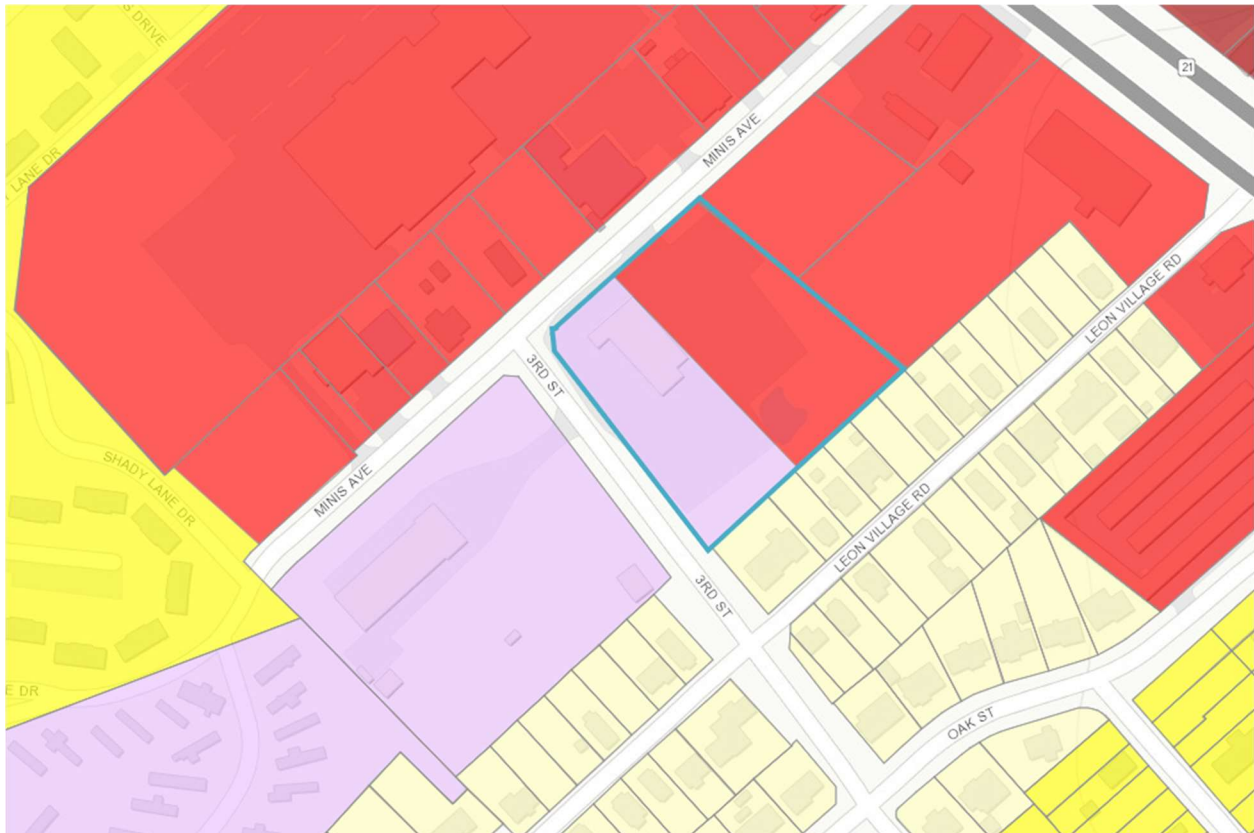
a. Walls and fences adjacent to a residential zoning district or to a permitted residential use shall not exceed eight feet in height along rear and side yards or six feet in height in front yards. If such fences are constructed of wood, the fence surfaces shall be painted or stained. If such fences are constructed of concrete block, the block shall be painted or stuccoed.

b. Walls and fences shall be set back at least five feet from the property line when abutting a residential district or a permitted residential use. The setback area shall be maintained as a landscaped area.

c. Walls and fences erected in commercial or industrial districts for enclosure, retaining, or concealment purposes (as opposed to decorative purposes) shall be solid or visually opaque and constructed so as to prevent the passage of debris or light, and constructed of materials which are of a uniform shape, color, and design.

d. Walls and fences erected in commercial districts for enclosure, retaining, or concealment purposes shall be constructed of either brick, stone, architectural tile, masonry units, slatted wood, or other similar material (not including chain link or other fence wire except as permitted by [section 90-96\(d\)\(3\)](#)). Walls and fences erected in industrial districts for enclosure, retaining, or concealment purposes shall be constructed of all fencing materials permitted in commercial districts, as well as chain link or other fence wire (excluding barb and razor wire, the use of which is limited by [section 90-96\(d\)\(3\)](#)), and sheet metal which may be used when the fence is not abutting or adjacent to a residential zoning district or a permitted residential use, and is not located in a front yard. Any wall or fence in existence as of April 19, 1999, shall be exempt from the provisions of this subparagraph (4)d. which were adopted on said date, until such time that it needs to be replaced in its substantial entirety.

The property, outlined in blue on the map below, is zoned C-2 and I-1 (split zoning). The adjacent properties are zoned C-2, I-1, and R-1. The provision to allow for chain link fence in an industrial district does not apply to the portion of the property zoned as C-2. Chain link fence also cannot be used in the front yard or adjacent to residential 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), the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the zoning ordinance as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of this 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:

1. *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;*
No, there are no unique size or shape dimensions of the lot.
2. *The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship;*
No.
3. *Conditions are peculiar to the particular piece of property involved; and*
The property is located in an area of commercial, residential, and industrial properties. While the property across 3rd Street is zoned industrial, most properties in the area are in commercial or residential use.
4. *Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.*
Approval of the variance could be a detriment to the public good or impair the purpose and intent of this chapter.

RECOMMENDATION

Denial of the variance request to allow for the use of a chain link fence.

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.



FENCE PERMIT APPLICATION

Application Date: 11-6-2023 *emailed NS City + Nick NJ*

COMMERCIAL ☒ RESIDENTIAL ☐

* Submit your application via email to: permits@gardencity-ga.gov *

* For assistance call 912-963-2749 *

You may also submit your Permit Application in person or via mail at: 100 Central Avenue, Garden City, GA, 31405

Please submit all applicable plans and licenses with the application

Project Name: BOS, Inc. Fence

Project Address: 31 Minus Ave
Savannah, Ga 31408

Parcel ID (PIN): 60016 02022

Type of Business (If Applicable): Tanker Fleet

Owner Name: BOS, Inc.

Owner Address: P.O. Box 68
Allendale, SC 29810

Owner Email: neil@mabbetttransport.com

Owner Phone: 803-300-1763 (cell)
Neil Sanders

Architect/Engineer (name): _____

Address: _____

Email: _____

Phone: _____

Contractor (Name): Guaranteed Fence Contractors

Address: 8306 Meadowbrook Rd.
Savannah, Ga 31406

Email: gary@guaranteedfence.com

Phone: 912-354-0266

State License Number: _____ State License Type: _____

Business License Number: 077308 Jurisdiction: Savannah

Purpose of Fence Permit

Describe Fully the work being done (attach supplemental pages if needed): Fence to enclose yard where we park
Fleet and put up privacy screening; Replacing existing fence.

Material of Fence: 9 gauge galvanized chain link

Length of Fence: 1,200

Height of Fence: 8'

Valuation of project: \$60,580.00

Was a survey conducted? (If ☒) Name of Surveyor: MITR

Please attach a copy of the survey (Attached) *NS*

Residential Districts

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. No wall or fence shall exceed six feet in height within a side or rear yard. Wire fences and non-decorative metal fences (e.g. fences constructed of roofing tin) are prohibited. Chain link fences, as well as fences made of wood and masonry materials, are acceptable. If a wooden fence has only one finished face, the finished side shall face the exterior property line.

Commercial and Industrial Districts

No fence or wall shall be erected, placed, or otherwise installed on any lot nearer to any street than the minimum building front setback line. On corner lots, no fence or wall shall be erected, placed, or otherwise installed nearer to the street than the minimum front setback line on both streets. If a fence is constructed of metal, the metal shall be of a decorative type and shall not be constructed with roofing tin. Barbed wire or razor wire may be used for security purposes in business and industrial districts along the top of a fence if such fence is six feet or greater in height, and/or for agricultural uses. Walls and fences erected in commercial districts shall not exceed eight feet in height and in industrial districts shall not exceed ten feet in height.

THE APPLICANT SHALL BE RESPONSIBLE FROM THE DATE OF THIS PERMIT OR FROM THE TIME OF THE BEGINNING OF THE FIRST WORK, WHICHEVER SHALL BE THE EARLIER, FOR ALL INJURY OR DAMAGE OF ANY KIND RESULTING FROM THIS WORK, WHETHER FOR BASIC SERVICES OR ADDITIONAL SERVICES, TO PERSON OR PROPERTY. THE APPLICANT SHALL EXONERATE, INDEMNIFY AND SAVE HARMLESS THE CITY FROM AND AGAINST ALL CLAIMS OR ACTIONS AND ALL EXPENSES INCIDENTAL TO THE DEFENSE OF ANY SUCH CLAIMS, LITIGATION AND ACTIONS BASED UPON OR ARISING OUT OF DAMAGE OR INJURY (INCLUDING DEATH) TO PERSONS OR PROPERTY CAUSED BY OR SUSTAINED IN CONNECTION WITH THE PERFORMANCE OF THIS PERMIT OR BY CONDITIONS CREATED THEREBY OR ARISING OUT OF OR IN ANY WAY CONNECTED WITH WORK PERFORMED UNDER THE PERMIT OR FOR ANY AND ALL CLAIMS FOR DAMAGES UNDER THE LAWS OF THE UNITED STATES OR OF GEORGIA ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE ACQUISITION OF AND CONSTRUCTION UNDER THE PERMIT AND SHALL ASSUME AND PAY FOR, WITHOUT COST TO THE CITY, THE DEFENSE OF AN AND ALL CLAIMS, LITIGATIONS AND ACTIONS, SUFFERED THROUGH ANY ACT OR OMISSION OF THE APPLICANT OR ANY SUBCONTRACTOR, OR ANYONE DIRECTLY OR INDIRECTLY EMPLOYED UNDER THE SUPERVISION OF ANY OF THEM. I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCE GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED OR NOT.

Neil Sanders

(PRINT NAME)

Neil Sanders

(Sign)

11-6-2023

(Date)

DO NOT FILL BELOW THIS LINE - OFFICE USE ONLY

Flood Zone: _____ Zoning: _____ Land Use Code: _____

PIN: _____ Setbacks- Front: _____ Rear: _____ Side: _____ Other: _____

Permit Number: _____ Received Date: _____ Issued Date: _____

Permit Fees: _____ Misc Info: _____

☐ Approve ☐ Deny ☐ Hold Date: _____

Reason:

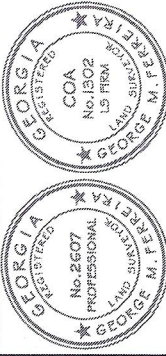
Reviewed By (Name and Title): _____

Signature (and date): _____

Review Remarks:

MITR

GIS/GPS/SURVEY
374 EASTRIDGE DRIVE,
SAVANNAH, GEORGIA
PHONE: 912-657-3091
EMAIL: MITR374@COMCAST.NET



SURVEYOR'S CERTIFICATE

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR RECONSTRUCT THE LAND. IT IS LIMITED TO ANY REAL PROPERTY BOUNDARIES, THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. **RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR THE ACCURACY OF THE SURVEY DATA.** THE SURVEYOR FURTHERMORE THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF LAND SURVEYORS AND AS SET FORTH IN O.G.G.A. SECTION 15-6-67.

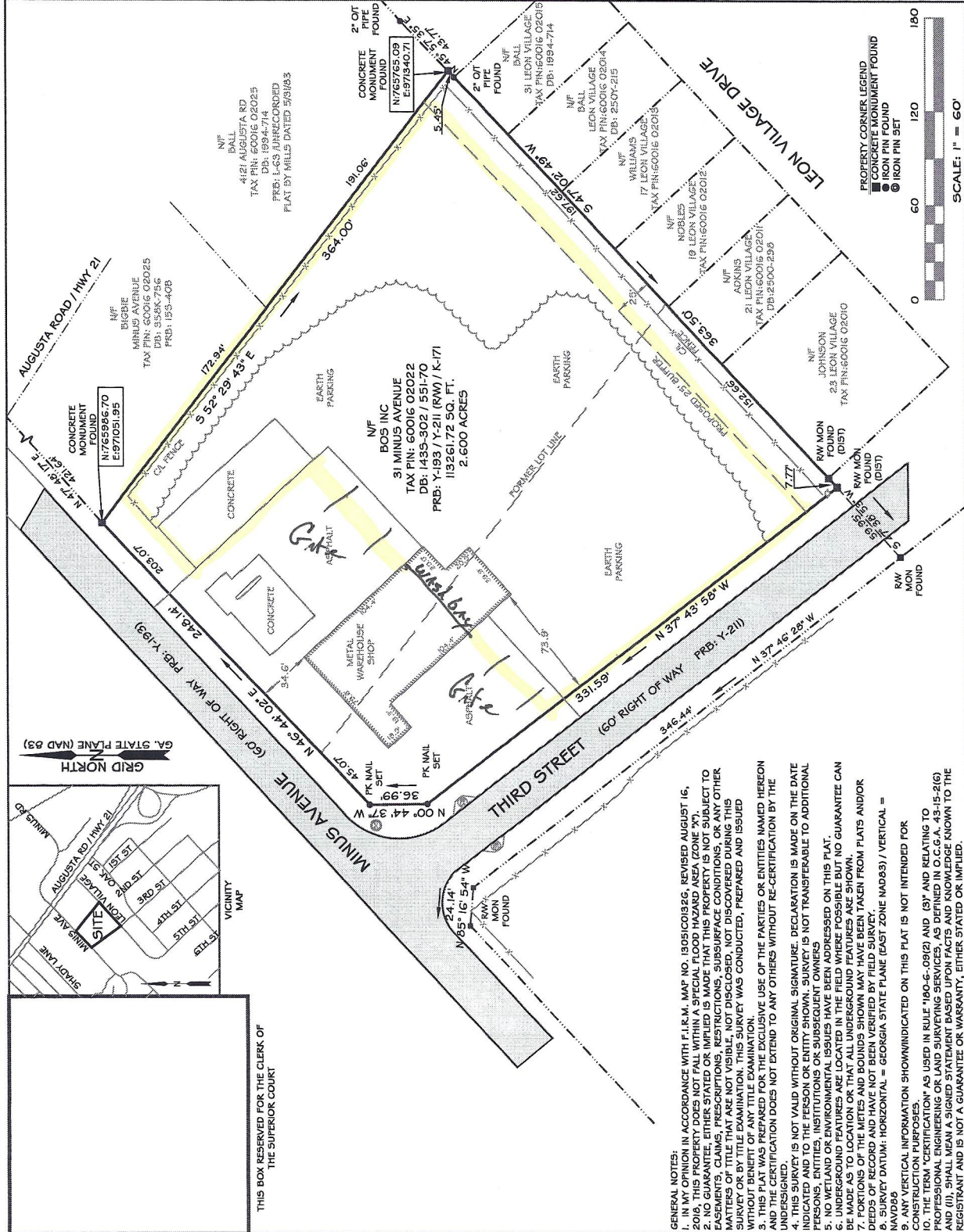
09/30/2023
DATE
GEORGE M. FERREIRA
RLS #2607

**RETRACEMENT SURVEY
SOUTHERN PORTION OF LOTS
18 AND 19, LAMAR TRACT,
KNOWN 31 MINUS AVENUE, GARDEN
CITY, CHATHAM COUNTY, GEORGIA**

**PREPARED FOR
NEIL SANDERS
MABBETT TRANSPORT
31 MINUS AVENUE, GARDEN CITY,
GEORGIA**

FIELD EQUIPMENT USED
GEOMAX ZENTH 35 DUAL FREQUENCY
CONTROL POINTS ONLY
GPS PRECISION: ± 1.50 M
SOKKIA 1X ROBOTIC TOTAL STATION
LESS THAN 1" PER POINT
PLAT: 1/13.71"
ERROR OF CLOSURE:
ADJUSTMENT METHOD:
NO ADJUSTMENT

PLAT: 09/30/2023
FIELD: 09/27/2023



THIS BOX RESERVED FOR THE CLERK OF
THE SUPERIOR COURT



①

31 Minus Ave

32 Minus Ave



29 Minus Ave



3rd St

31 minus
Ave
Old fence →

2

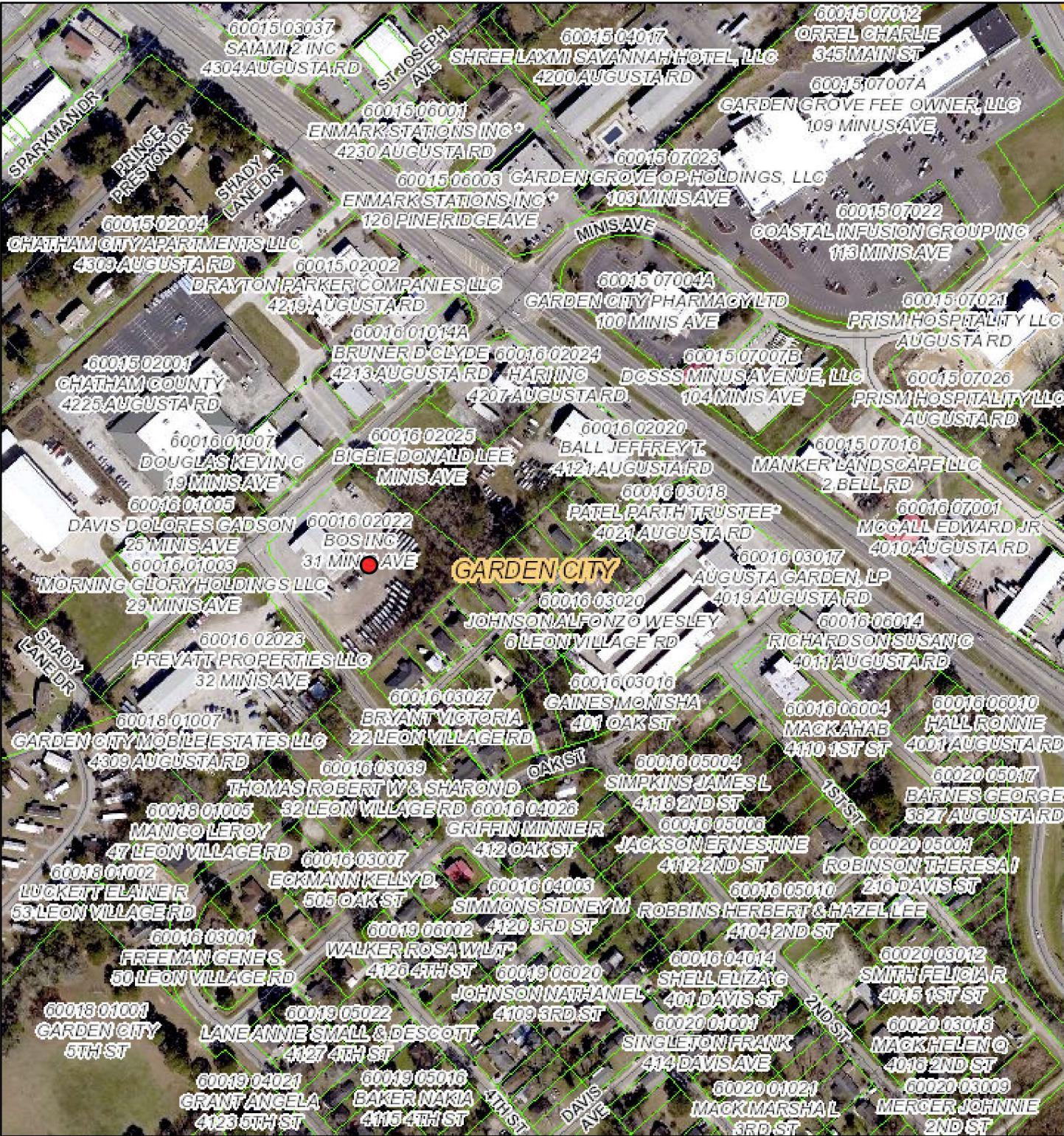


3

31
minus Ave
old fence



Variance: 31 Minus Avenue



1/4/2024, 2:40:14 PM

1:4,514



City of Garden City Variance Application



Development Information

Development Name (If applicable)	
Property Address	
Current Zoning	Current Use
Parcel ID	Total Site Acreage
Section of the zoning code from which you are seeking a variance:	
Describe the variance request you are requesting.	
Would denial of this request create practical difficulty or an unnecessary hardship?	
Does the property have extraordinary and exceptional conditions because of its size, shape or topography?	
Are the conditions of the property unique to this piece of property?	
Would approval of this variance request cause any detriment to adjoining properties or the community?	
Please provide any additional information that you deem relevant.	

City of Garden City Variance Application



G A R D E N C I T Y

Applicant Information

Owner	
Name	Address
Phone	Email
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	
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 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.

_____	<i>Naser Jaber</i>	_____
Print Name	Signature	Date

OFFICE USE ONLY		
Received By	Date Received	Case Number
Submittal Format <input type="checkbox"/> Electronic <input type="checkbox"/> Paper <input type="checkbox"/> Both	Fee Amount Paid	Invoice Number

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Denise R. Grabowski, AICP, LEED AP, Planning Manager Consultant
Date: January 3, 2024
Re: PC01-24-1072 – 4021 6th Street

Application Type	Variance
Case Number	PC01-24-1072
Applicant	Global Investment Traders LLC
Name of Project	NA
Property Address	4021 6 th Street
Parcel IDs	60019 10016
Area of Property	0.28 acres
Current Zoning	R2
Current Land Use	Vacant

GENERAL INFORMATION

Project Description: The applicant is proposing to subdivide the lot to build two single family homes. The applicant received approval from the Board of Appeals to build a quadplex on the existing lot, but has revised his plans based on development costs.

The applicant is requesting a variance from section 90-72 of the Garden City Zoning Ordinance which requires 8,400 square feet and 80' lot width to build a single-family home. This request will be heard for action by the Board of Appeals.

Section 70-38 of the Garden City Subdivision Regulations requires that variances pertaining to the subdivision of land are granted by Mayor and Council following a recommendation from the Planning Commission. This request will be heard for a recommendation by the Planning Commission.

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), the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the zoning ordinance as will not be contrary to the public interest where owing to special conditions a literal

enforcement of the provisions of this 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:

1. *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;*
No, there are no unique size or shape dimensions of the lot.
2. *The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship;*
No, the applicant of this chapter would not create a hardship.
3. *Conditions are peculiar to the particular piece of property involved; and*
Most of the lots in this neighborhood are 40' x 150', which is consistent with the applicant's proposed subdivision.
4. *Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.*
Approval of the variance will not be a detriment to the public good or impair the purpose and intent of this chapter.

RECOMMENDATION

Recommend approval of the variance request to Mayor and Council to allow for the subdivision of the lot into two equal lots.

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.

THIS AREA RESERVED FOR
CLERK OF SUPERIOR COURT

- LEGEND**
- RE-BAR FOUND
 - IRON PIPE FOUND
 - MAG NAIL FOUND
 - SPOT ELEVATION AS NOTED
 - CONTOUR INTERVAL
- TREE LEGEND**
- BIRCH TREE SIZE AS NOTED
 - CHINA BERRY TREE SIZE AS NOTED
 - HICKORY TREE SIZE AS NOTED
 - HIMOSIA TREE SIZE AS NOTED

THIS PLAT IS A RETACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF RECORDS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR THE MINIMUM TECHNICAL STANDARDS SET FORTH IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-87.

MICHAEL J. GARDNER
GA. REG. LAND SURVEYOR NO. 2285

10/16/2023

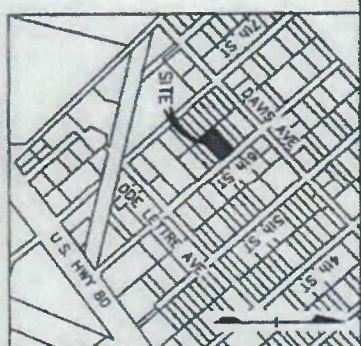


EQUIPMENT USED: TOPCON 236W
SINGLE PRISM
ANGULAR ERROR: 1" PER
ADJUSTED BY: OBSERVATION
PLAT CLOSURE = 1/100,000
FIELD SURVEY: 9/29/2023



- NOTES**
- ELEVATIONS ARE BASED ON NAVD 88, UNLESS OTHERWISE NOTED.
 - COORDINATES AND DIRECTIONS ARE BASED ON GEORGIA STATE PLANE COORDINATE SYSTEM (NAD83), EAST ZONE.
 - ACCORDING TO F.I.R.M. MAP NO. 13051C0132C, REVISED 8/16/2018, THE PROPERTY SHOWN ON THIS PLAT LIES IN ZONE X NOT A 100 YEAR FLOOD ZONE.
 - SANITARY SEWER SYSTEM AND WATER SYSTEM UNDER JURISDICTION OF GARDEN CITY.
 - GARDEN CITY ZONING R-2 RESIDENTIAL.

NEIGHBOR MAP
NOT TO SCALE



EAST ZONE (NAD83)
GA STATE PLANE

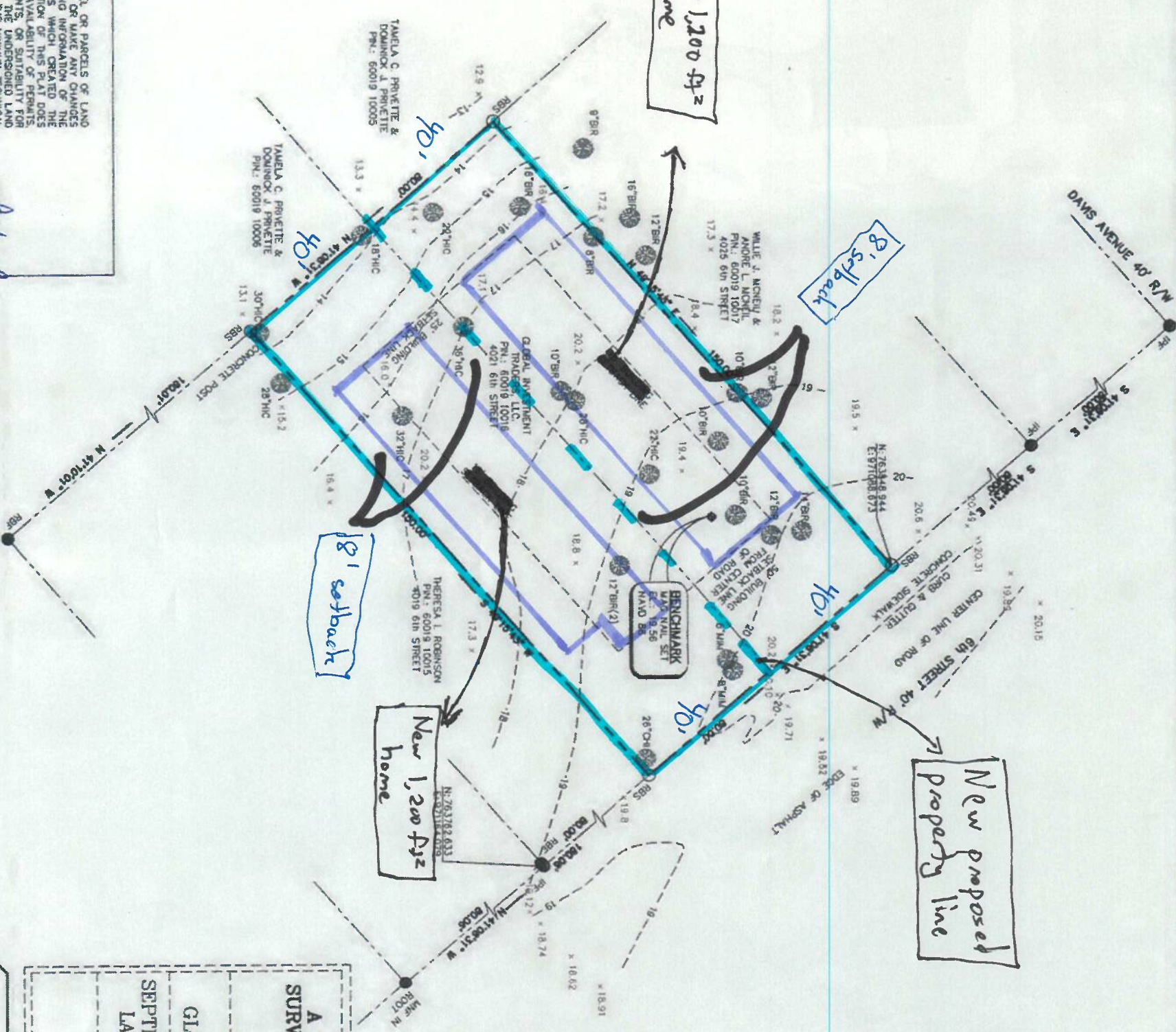
New proposed
property line

New 1,200 sqz
home

New 1,200 sqz
home

8' setback

8' setback



A TOPOGRAPHIC & RETACEMENT
SURVEY OF LOTS 9 AND 11, BLOCK S,
DUNDEE WARD, GARDEN CITY
CHATHAM COUNTY, GEORGIA.

SURVEYED FOR:
GLOBAL INVESTMENT TRADERS, LLC.

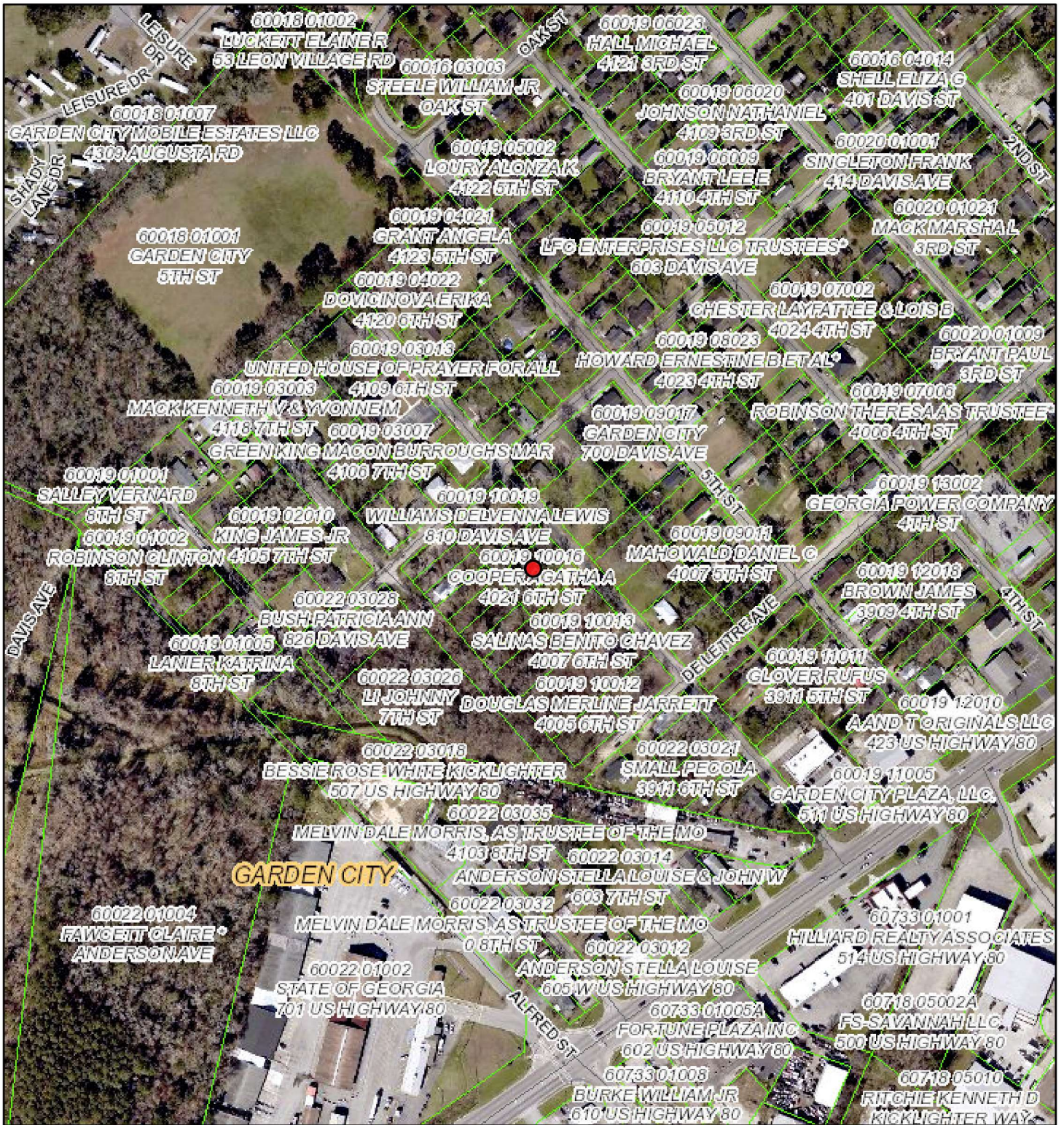
SEPTEMBER 29, 2023 JOB NO.20230929
LAST REVISED N/A DRAWN BY DJP

ALSO KNOWN AS 4021 6th STREET

MICHAEL JIM GARDNER
LAND SURVEYOR

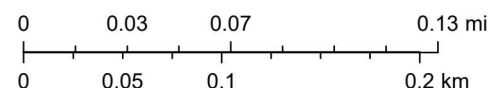
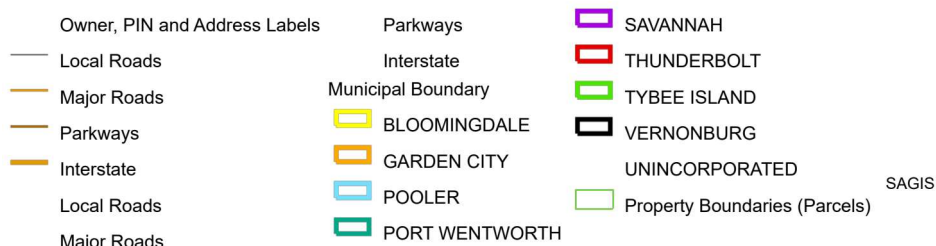
120 VARNEDOE AVENUE
GARDEN CITY, GEORGIA 31408
PHONE (912) 964-8262

Variance: 4021 6th Street



1/4/2024, 2:49:42 PM

1:4,514



City of Garden City Rezoning Application



GARDEN CITY

Development Information

Development Name (if applicable)

N/A

Property Address

1445 Dean Forest Road, Garden City, Georgia 31408

5524 Silk Hope Rd.

Current Zoning

R-4 (Garden City); R-A (County)

Proposed Zoning

R-2

Current Use

Vacant Lane & SFR (Vacant)

Proposed Use

Multifamily Residential

Parcel ID

6-0990-01-007 (Garden City) 1-0990-01-011 (Chatham County)

Total Site Acreage

25.14 Acres +/-

Proposed Water Supply

☒ Public ☐ Private (Future water supply from Garden City)

Proposed Sewage Disposal

☒ Public ☐ Private (Same)

Describe the current use of the property you wish to rezone, including property characteristics (developed, wooded, cleared, etc.)

Vacant land and houses (3) that are also vacant

Describe the use that you propose to make of the land after rezoning

Multifamily Residential. See concept plat attached to this petition

Describe the uses of the other property in the vicinity of the property you wish to rezone

N/A

Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property

Consistent with adjoining properties and serves a community need

Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? Describe the proposed access.

Project will have access to Dean Forest Road

Please provide any additional information that you deem relevant.

City of Garden City Rezoning Application



GARDEN CITY

Applicant Information

Owner	
Name	Address
1143 & 1445 Dean Forest Road LLC	
Phone	Email
912-660-7788	marketurner@me.com
Nature of Ownership Interest	
Is the Owner an: <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Partnership <input 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 checked="" type="checkbox"/> Check here to receive staff review comments via email
Company Name	Contact (Individual Name)
Coleman & Co.	Greg Coleman
Phone	Email
912-661-4734	gcoleman@cci-sav.com
Authorized Agent (Requires Authorized Agent Form)	<input checked="" type="checkbox"/> Check here to receive staff review comments via email
Company Name	Contact (Individual Name)
Hunter Maclean	Harold Yellin
Phone	Email
912-236-0261	hyellin@huntermaclean.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
N/A	N/A

I understand that I will need to attend or be represented by a duly authorized agent at the meeting of the Planning Commission and City Council and that my application cannot be approved unless I am represented.

HAROLD YELLIN

Print Name

Harold Yellin

Signature

11/7/23

Date

OFFICE USE ONLY		
Received By	Date Received	Case Number
Submittal Format <input type="checkbox"/> Electronic <input type="checkbox"/> Paper <input type="checkbox"/> Both	Fee Amount Paid	Invoice Number

City of Garden City Rezoning Application



Applicant Information

Owner	
Name	Address
1143 & 1445 Dean Forest Road LLC	
Phone	Email
912-660-7788	marketturner@me.com

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 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)
Coleman & Co.	Greg Coleman
Phone	Email
912-661-4734	gcoleman@cci-sav.com

Authorized Agent (Requires Authorized Agent Form) <input checked="" type="checkbox"/> Check here to receive staff review comments via email	
Company Name	Contact (Individual Name)
Hunter Maclean	Harold Yellin
Phone	Email
912-236-0261	hyellin@huntermaclean.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
N/A	N/A

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MARK E TURNER [Signature] 12/11/23
 Print Name Signature Date

OFFICE USE ONLY		
Received By	Date Received	Case Number
Submittal Format <input type="checkbox"/> Electronic <input type="checkbox"/> Paper <input type="checkbox"/> Both	Fee Amount Paid	Invoice Number



GARDEN CITY
PLANNING &
ECONOMIC DEVELOPMENT

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Denise R. Grabowski, AICP, LEED AP, Planning Consultant
Date: January 3, 2024
Re: PC 2338 – 5524 Silk Hope Road

<i>Application Type</i>	<i>Zoning Map Amendment (Rezoning)</i>
<i>Case Number</i>	PC 2338
<i>Applicant</i>	1443 & 1445 Dean Forest Road LLC
<i>Name of Project</i>	N/A
<i>Property Address</i>	5524 Silk Hope Road
<i>Parcel ID</i>	1-0990-01-011
<i>Area of Property</i>	6.56 acres
<i>Existing Zoning</i>	R-A Residential-Agricultural (Chatham County)
<i>Existing Land Use</i>	Undeveloped
<i>Proposed Zoning</i>	R-2 Residential
<i>Proposed Land Use</i>	Multi-Family Residential
<i>Comp Plan – Future Land Use</i>	Residential

GENERAL INFORMATION

Project Description: The applicant is proposing to develop the property for apartments in conjunction with the adjacent property.

Background / Additional Context: The property is in unincorporated Chatham County, adjacent to 1445 Dean Forest Road, which was rezoned to R-2 in October 2022. The applicant is requesting annexation of the subject property into Garden City to combine the two properties together for the development of an apartment complex. Upon approval of the annexation by City Council, the property will be assigned a Garden City zoning district designation. The annexation and zoning will occur simultaneously by City Council. The original application was amended via email due to a clerical error.

FINDINGS

Staff has determined this application is complete and contains all required information. In conformance with the City of Garden City Zoning Ordinance Section 90-201(c), the following factors are to be considered for a rezoning request:

1. *Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?*

The property to the north is owned by the City of Savannah, zoned Agricultural (City of Savannah A-1) and is used as a gun range. The property to the east is zoned R-2 and is planned for multi-family development. Adjacent properties to the south and the west are zoned Residential-Agricultural (Chatham County R-A) and are residential in use.

2. *Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?*

The pattern of development in this area is changing as more commercial and industrial uses have been developed in recent years. Significant areas of residential development are also occurring nearby in unincorporated Chatham County.

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?*

The property will be accessed via Dean Forest Road (SR 307). The existing roadway is a private drive that will be incorporated into the multi-family development. A conceptual plan is included for reference only. The general development plan will be presented to the Planning Commission at a future meeting.

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?*

This parcel is adjacent to low-density residential properties. Most of the development will be set back from Dean Forest Road due to a large wetland area that crosses the property.

5. *Is there an imminent need for the rezoning and is the property likely to be used for the use requested?*

The property, if rezoned, would likely be viable for multi-family use given the need for housing in Garden City and Chatham County.

6. *Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?*

This parcel is unique as it will join the only other parcel on this side of Dean Forest Road currently located within the city limits of Garden City. Properties on the east side of Dean Forest Road could transition to higher-density residential.

7. *Such other matters as the Planning Commission deems relevant.*

The adjoining property received a favorable recommendation from Planning Commission on September 13, 2022, for rezoning to R-2. City Council rezoned the adjoining property to R-2 on October 3, 2022.

RECOMMENDATION

Approval of the rezoning request from Residential-Agricultural (R-A) to Residential (R-2) upon annexation into the City of Garden City.

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.