

# AGENDA

Board of Zoning Appeals / Planning Commission Meeting  
Tuesday, February 13, 2024 - 6:00pm

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## *Pre-agenda @ 5:30pm*

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- **Call to Order**
- **Roll Call**
- **Approval of Agenda**
  - February 13, 2024
- **Approval of Board of Zoning Appeals/Planning Commission Minutes**
  - January 10, 2024
- **Zoning Appeals**
  - No cases to be heard
- **Planning Commission**
  - PC-2-24-1073: ProLand Investments, LLC represented by agent Franklin McKinney request to rezone 439 Telfair Road; PIN 60737 01003 and 439A Telfair Road; PIN 60737 01013 from R-2 to I-2.
- **Adjournment**
- **Board of Appeals/Planning Commission Workshop**
  - No decisions or action will be taken during the workshop
  - Josh Yellin, Hunter Maclean request to make a presentation to the Planning Commission prior to the formal resubmission of the site plan for Voltera – EV Charging site; 2301 W US Hwy 80, PIN 60881 04001
- **Dismissal**

Public Hearing by City Council for PC-2-24-1073 is tentatively scheduled for February 20, 2024 with Consideration by City Council tentatively scheduled for March 4, 2024. 100 Central Avenue, Garden City, Georgia 31405.

**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  
January 10, 2024 - 6:00PM  
Meeting Rescheduled Due to Inclement Weather

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, Gary Monroe, Charlie Orrell and Misty Selph. Billy Jackson; Chair was absent.

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

Visitors: Enclosed

Vice-Chair Perry stated due to dental work that I had today, the agenda will be amended to nominate a chair for tonight's meeting only. Commissioner Selph made a motion to nominate Michael Bruner as chair for the January 10, 2024 meeting only with the exception for Mr. Bruner to stepdown for PC01-24-1068. Commissioner Cox second the motion; the vote passes with no opposition.

Vice-Chair Perry asked for a motion to approve the December 12, 2023 minutes. Commissioner Cox made a motion to approve with second by Commissioner Selph; the vote passes with no opposition.

**Board of 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.

Acting Chair Bruner read the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended denial of the variance request to allow for use of a chain link fence.

Mr. Sanders said I sat in on a pre-meeting to clarify for the old fence to move 15ft and make a 25ft buffer because he can't get trucks and the trailers in; this will make three parking spots if the fence is moved farther in.

Commissioner Monroe said where are you looking to place the fence?

Mr. Sanders replied the other side of the Mulberry tree is where the fence will go; the original fence went up 3<sup>rd</sup> Street. He continued that when the property was cleaned up he was told the fence could be placed back in the same location – the fence was on the property in 1970.

Commissioner Monroe said does the ordinance allow fence on residential that adjoins industrial property?

Denise Grabowski; Planning Manager – Consultant stated that per the staff report the application is in reference to the material and the ordinance calls for the material to be brick, stone, slatted wood or a similar material.

Vice-Chair Perry asked Mr. Sanders what makes you opposed to a certain material?

Mr. Sanders said he is opposed to the upkeep of a wood fence, the proposal is priced with screening – for the site inspection it was to be cyclone and was notified by Staff to install wood. Mr. Sanders said I want cyclone with screening.

Commissioner Monroe said how does the Board make a determination to have the correct material with what is in the area.

Denise Grabowski; Planning Manager – Consultant stated this is a legal non-conforming use and the ordinance says if it is in excess of 50% of the value then it must be brought into compliance of the current ordinance. The applicant across the street would have to meet current code. The Board's decision is whether to allow a chain-link fence.

Commissioner Ashley said what would you keep as a buffer to protect the area – we need to protect the citizens.

Mr. Sanders replied leave trees and install a new fence; I would be responsible to maintain the fence.

Commissioner Selph said is barbed wire proposed on top?

Mr. Sanders said I would like to add barbed wire because it provides security and it keeps anyone from letting the product out on the yard.

Commissioner Selph asked Staff if barbed wire can go on any other material besides chain link fencing?

Denise Grabowski; Planning Manager – Consultant reads the code section and states it does not preclude anything from other material than a chain link fence. The Board may take action or discuss further with Staff – the code does not allow a chain link fence.

Mr. Sanders said the only choice is for chain-link with screening; do I need to do wood or cyclone fence?

Commissioner Selph asked Staff if Mr. Sanders can put up a cyclone fence?

Denise Grabowski; Planning Manager – Consultant said the applicant wants to install the fence on the corners and adjacent to residential.

Mr. Sanders said I want the fence to tie into an open building.

Denise Grabowski; Planning Manager – Consultant said no chain link fence is allowed in commercial; must meet the provisions of front yard requirements.

Acting Chair Bruner asked for additional speakers from the public for the request.

Marcia Daniel said I am speaking as a resident of Garden City; it needs to be replaced – replace it with cyclone fencing and I ask to consider Mr. Sanders not have to pay for a wooden fence.

Acting Chair Bruner asked for additional comments; being none he called for those in opposition. With no opposition, Acting Chair called for a motion. Commissioner Selph made a motion to approve as requested with screening provided. Commissioner Cox second the motion; vote passes by majority with Commissioner Monroe voting in opposition.

PC01-24-1072: Global Investment Traders, LLC requests a variance of Sec. 90-12(reduction in lot size) to subdivide 4021 6<sup>th</sup> Street; PIN 60019 10016 into two substandard lots.

Acting Chair Bruner read the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the variance request to Mayor and Council to allow for the subdivision of the lot into two equal lots.

Naser Jaber stated he had plans to build a quadplex but that was impractical with the stormwater requirements.

Acting Chair Bruner said what are the exterior dimensions?

Mr. Jaber replied they will be 3 bedrooms, 2 bath homes.

Denise Grabowski; Planning Manager – Consultant said Staff anticipates bringing recommendations forward in keeping with neighborhoods.

Commissioner Monroe said we as a Board appreciate the applicant's due diligence.

Vice-Chair Perry said it is an asset to see affordable and suitable housing.

Acting Chair Bruner asked for additional comments; being none he called for those in opposition. With no opposition, Acting Chair Bruner called for a motion. Vice-Chair Perry made a motion to approve the request. Commissioner Cox second the motion; vote passes with no opposition.

Acting Chair Bruner called for a motion to adjourn the Board of Zoning Appeals meeting. Commissioner Selph made a motion to adjourn; Commissioner Cox seconded, vote passes with no opposition.

### **Planning Commission**

Acting Chair Bruner called the Planning Commission meeting to order.

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.

Acting Chair Bruner gave a reading of the item. Planning Consultant Denise Grabowski gave an overview of the proposal and said there will no decision on the GDP plan as it will be contingent on the annexation. The City Staff recommended approval of the rezoning request from Residential-Agricultural (R-A) to Residential (R-2) upon annexation into the City of Garden City.

Harold Yellin said the petitioner owns 18.67 acres that were rezoned 9/22 from R-A to R-2 for multi-family; the intention is to combine into one tract of land; it would be easily developed once combined; the parcel of 6.56 acres will be consistent with the proposed land use. There is a need for additional housing; this request is for zoning only and we are aware of coming back before the Board for GDP review.

Denise Grabowski; Planning Manager – Consultant said when this is annexed it will have a designation requesting R-2; one will have to be assigned with R-A being the most similar.

Mr. Yellin said we ask the Board to assign the parcel an appropriate Garden City zoning; there are structures on the property – a rehab center.

Denise Grabowski; Planning Manager – Consultant said the annexation is a separate process from the zoning and we want to clearly define what is in the Garden City ordinance. Planning Commission is a recommendation for this rezoning.

Acting Chair Bruner asked for additional comments; being none he called for those in opposition.

Steve Bishop presented an overview of concerns. Mr. Bishop said his address is the same as the Chatham County address for request; a petition or a variance to extend the buffer requirement is needed. How would zoning impact the cemetery? There is a probability of grave yards with 73 slaves and we ask to delay the request as death certificates were found.

Commissioner Monroe said we appreciate the information provided and the Board tries to always be courteous when citizens come before us.

Commissioner Selph said what are the buffers between multi-family and residential?

Denise Grabowski; Planning Manager – Consultant said the requirement for single family to multi-family is 10ft and the buffer can be trees, understory or landscaping. This is a rezoning – a condition can be imposed but this is not buffering a Garden City property; a property address will reference the PIN number.

Randy Brannen said I am a member of the Geological association and I believe this property is part of the Owens-Rice Plantation which is a significant area. The decision should be contingent upon further research; I thought we were protected by covenants.

Mr. Yellin said we will do an archeological study.

Acting Chair Bruner asked for additional comments; being none he called for a motion. Commissioner Selph made a motion to recommend to Council to approve as requested. Commissioner Ashely seconds; motion passes by majority with Vice-Chair Perry voting in opposition.

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.

Acting Chair Bruner called for a motion. Commissioner Selph made a motion to un-table the request. Commissioner Cox seconds the motion; vote passes with no opposition.

Commissioner Selph said there are concerns with the petitioner's request to continue to table – we should vote and the petitioner be able to be present.

Commissioner Monroe said there should be language put in place as this is a pattern. What are the requirements to how many times a tabling can be put into place.

Denise Grabowski; Planning Manager – Consultant said State law affects advertising.

Acting Chair Bruner asked for additional comments; being none he called for a motion. Commissioner Selph made a motion to table until the March agenda. Commissioner Ashley seconds the motion; vote passes with no opposition.

PC01-24-1072: Global Investment Traders, LLC requests a variance of Sec. 90-12(reduction in lot size) to subdivide 4021 6<sup>th</sup> Street; PIN 60019 10016 into two substandard lots. Due to Sec. 70-38 recommendation to be heard by Planning Commission.

Acting Chair Bruner read the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the variance request to Mayor and Council to allow for the subdivision of the lot into two equal lots.

Commissioner Monroe said we appreciate this request.

Acting Chair Bruner asked for additional comments; being none he called for those in opposition. With no opposition, he called for a motion. Commissioner Monroe made a motion to recommend approval to Council. Commissioner Orrel seconds the motion; vote passes with no opposition.

PC01-24-1068: Lou Ferrando request a sign application review to erect a billboard at 1398 Dean Forest Road; PIN 60989 01016A.

Vice-Chair Perry read the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended to table action on the Outdoor Advertising/Separate Use sign permit request until the outdoor advertising/separate use sign moratorium is lifted.

Michael Bruner said the billboard process started beforehand, the agreement was signed in August and previously approved in 2016. It was stated that GDOT approval is required and the process had to be restarted.

Commissioner Monroe said is this mixed use?

Denise Grabowski; Planning Manager – Consultant said the property is zoned as C2; the property across from this parcel is mixed-use.

Vice- Chair Perry said what consideration was given to Mr. Bruner?

Commissioner Selph said Robert Wellmaker signed off on the GDOT request authorizations.

Commissioner Ashley stated industrial property applications were accepted during the moratorium.

Denise Grabowski; Planning Manager – Consultant said in previous cases the Planning Commission Board did not want to hear cases without the GDOT permit approval.

Mr. Bruner said there is no policy in place.

Vice-Chair Perry said I am more inclined to agree with the petitioner; he has done his due diligence.

Commissioner Selph said I am not in favor of billboards; I'm in favor of the applicant who did his due diligence.

Vice-Chair Perry asked for additional comments; being none she called for those in opposition. With no opposition; she called for a motion. Commissioner Selph made a motion to approve. Commissioner Cox seconds the motion; the vote passes with no opposition.

PC01-24-1070: Scott Allison request a general development plan review of 1727 Old Dean Forest Road: PIN 60988 03006 for proposed use as gas station and convenience store with associated parking.

Acting Chair Bruner read the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the general development plan.

Mr. Allison said this is a triangle parcel – not much fits on it. There will be an 8- pump gas station that will accommodate the code standpoint and keeping with all ordinance requirements. The access points will be off of Dean Forest Road; the parking will be adjusted to accommodate

traffic; there is not much space for tractor-trailers – the design is to accommodate standard vehicles.

Denise Grabowski; Planning Manager – Consultant said the traffic signal is existing; a corridor study was completed with a number of recommendations.

Commissioner Monroe said there is grave concern for this intersection; there have been serious accidents and two flipped cars.

Mr. Allison said there have been lots of calls from residents crossing the area – this will be less traffic than a Parkers.

Commissioner Selph said the proposal is modern and aesthetically pleasing.

Commissioner Monroe said this is a great idea.

Acting Chair Bruner asked for additional comments; being none he called for those in opposition. With no opposition, he called for a motion. Commissioner Monroe made a motion to approve. Commissioner Orrel seconds the motion; vote passes with no opposition

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.

Acting Chair Bruner read the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the general development plan

Commissioner Selph said what are the materials for the fence?

Mr. Smith said I am the owner of the collision center; I am looking to relocate the business, will provide a solid vinyl fence similar to wood color; the side and rear is gated and will work with the City regarding the material.

Commissioner Monroe said the parcel is zoned P-I-1; what is the buffer requirement?

Denise Grabowski; Planning Manager – Consultant said he can request a reduced buffer; there is a 500 ft. buffer between single-family and residential.

Commissioner Monroe said this area does not need to look like Highway 21; this is one the most prestigious areas of Garden City.

Mr. Smith said it will be a metal building with brick façade and look like any commercial building or doctor's office.

Denise Grabowski; Planning Manager – Consultant said the City does not want to penalize a commercial use within an industrial district.

Acting Chair Bruner asked for additional comments; being none he called for those in opposition. With no opposition, he called for a motion. Commissioner Orrel made a motion to approve. Commissioner Ashley seconds the motion; vote passes with Commissioner Monroe voting in opposition.

Acting Chair Bruner calls for a motion to adjourn. Commissioner Selph makes a motion to adjourn, Commissioner Cox seconds; motion passes with no opposition.

Respectfully submitted,  
TTR

# City of Garden City Rezoning Application



## Development Information

Development Name (If applicable)

NA

Property Address

439 Telfair Rd

Current Zoning

R-2

Proposed Zoning

I-2

Current Use

NA

Proposed Use

TBD Industrial

Parcel ID

60737 01003 + 60737 01013

Total Site Acreage

1/2 acre + 1.8 = 2.3

Proposed Water Supply

☒ Public ☐ Private

Proposed Sewage Disposal

☐ Public ☒ Private

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

Former residence. Future office. Fully developed.

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

TBD

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

All surrounding properties are I-2

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

Residential use is not compatible with surrounding uses.

Industrial use is in keeping with neighbors.

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.

No. Access is via existing entrance that has been in place 65+ years.

Please provide any additional information that you deem relevant.

Added 2nd parcel for 100% Industrial. }

# City of Garden City Rezoning Application



GARDEN CITY

## Applicant Information

|   |  |
|---|--|
| <b>Owner</b>  |  |
| Name  | Address                                      |
| Pro Land Investments, LLC   | 10800 New South River Dr.<br>Miami, FL 33178 |
| Phone   | Email  |
| 305-513-3330  | Lianet@ProTransportUSA.com                   |
| <b>Nature of Ownership Interest</b>   |  |
| Is the Owner an: <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input checked="" 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.   |  |
| <b>Engineer/Surveyor</b> <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)                    |
| NA  | NA   |
| Phone   | Email  |
| NA  | NA   |
| <b>Authorized Agent (Requires Authorized Agent Form)</b> <input type="checkbox"/> Check here to receive staff review comments via email   |  |
| Company Name  | Contact (Individual Name)                    |
| NA  | Franklin McKinney                            |
| Phone   | Email  |
| 404 406 9194  | SavhPort@gmail.com                           |
| <b>Campaign Contribution</b>  |  |
| 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                |
| NA  | NA   |

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.

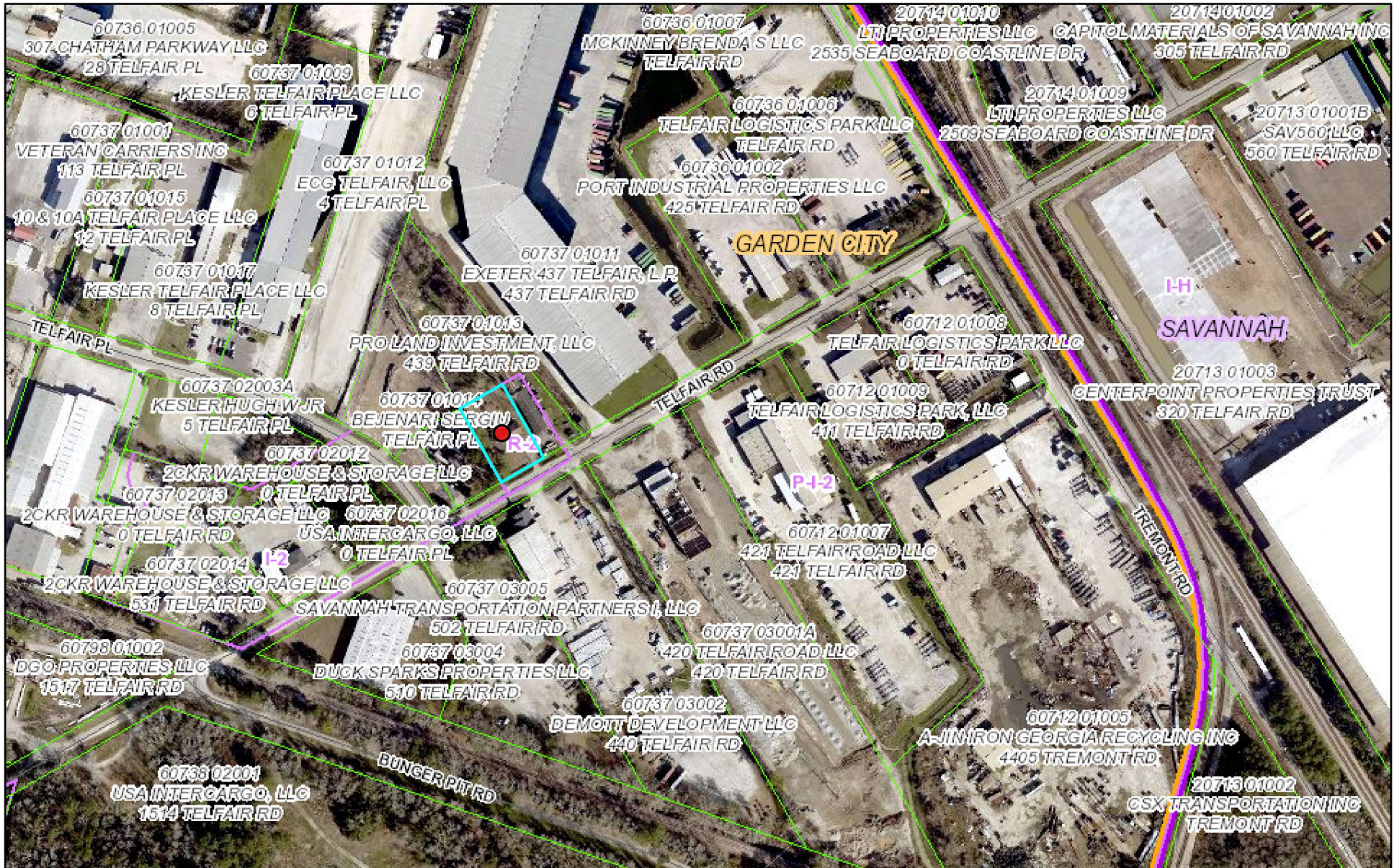
Oscar Acharandio  
Print Name

(X)   
Signature

12/13/23  
Date

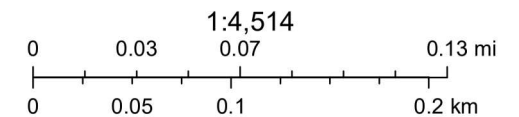
| OFFICE USE ONLY   |                 |                |  |
|---|-----------------|----------------|--|
| Received By   | Date Received   | Case Number    |  |
| Submittal Format  | Fee Amount Paid | Invoice Number |  |
| <input checked="" type="checkbox"/> Electronic <input type="checkbox"/> Paper 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

# Rezoning: 60737 01003 ; 60737 01013



2/5/2024, 1:17:59 PM

|             |             |                    |              |                               |
|-------------|-------------|--------------------|--------------|-------------------------------|
| Local Roads | Local Roads | Municipal Boundary | SAVANNAH     | UNINCORPORATED                |
| Major Roads | Major Roads | BLOOMINGDALE       | THUNDERBOLT  | Owner, PIN and Address Labels |
| Parkways    | Parkways    | GARDEN CITY        | TYBEE ISLAND | Zoning                        |
| Interstate  | Interstate  | POOLER             | VERNONBURG   | Property Boundaries (Parcels) |
|             |             | PORT WENTWORTH     |              |                               |



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PLANNING &  
ECONOMIC DEVELOPMENT

# MEMORANDUM

**To:** Garden City Planning Commission & Board of Appeals  
**From:** Denise R. Grabowski, AICP, LEED AP, Planning Consultant  
**Date:** February 1, 2024  
**Re:** PC-2-24-1073 – 439 Telfair Road

| <b>Application Type</b>            | <b>Zoning Map Amendment (Rezoning)</b> |
|------------------------------------|--|
| <b>Case Number</b>                 | PC-2-24-1073                           |
| <b>Applicant</b>                   | 439 Telfair Road                       |
| <b>Name of Project</b>             | N/A                                    |
| <b>Property Address</b>            | 439 Telfair Road                       |
| <b>Parcel ID</b>                   | 60737 01003; 60737 01013               |
| <b>Area of Property</b>            | 2.3 acres                              |
| <b>Existing Zoning</b>             | R-2 Residential                        |
| <b>Existing Land Use</b>           | Former residence                       |
| <b>Proposed Zoning</b>             | I-2 Industrial                         |
| <b>Proposed Land Use</b>           | Industrial                             |
| <b>Comp Plan – Future Land Use</b> | Industrial                             |

## GENERAL INFORMATION

**Project Description:** The application for rezoning includes all of parcel 60737 01003 and a portion of parcel 60737 01013. The remaining area of the latter parcel is zoned I-2.

## 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 90-201(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?*  
Yes.
- 2. Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?*  
No. All the surrounding properties are zoned I-2.

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?*  
No.
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?*  
No. Industrial zoning is more appropriate than residential zoning because of the intensive industrial uses in the area.
5. *Is there an imminent need for the rezoning and is the property likely to be used for the use requested?*  
Yes, the properties are likely to be used for industrial purposes.
6. *Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?*  
No, this is an industrial area.
7. *Such other matters as the Planning Commission deems relevant.*  
Rezoning of the properties is consistent with the future land use map.

#### STAFF RECOMMENDATION

**The Planning Commission recommends approval** of the rezoning request from Residential (R-2) to Industrial (I-2) to the City Council.

**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.*