

AGENDA

Board of Zoning Appeals / Planning Commission Meeting
Tuesday, May 5th, 2026 - 6:00pm

Pre-agenda @ 5:30 pm

- ✧ **Call to Order**
- ✧ **Roll Call**
- ✧ **Approval of Agenda – May 5th, 2026**
- ✧ **Approval of Board of Zoning Appeals/Planning Commission Minutes**
 - April 7th, 2026
- ✧ **Board of Zoning Appeals**
 - USE-26-0001: Short Term Rental Request_34 Harrell Drive
 - VAR-26-0001: Fence and Wall Ordinance Variance_102 Salt Creek Road
 - VAR-26-0002: Container Storage Variance_4405 Tremond Road
 - VAR-26-0003: Existing Non-Conforming Use_204 Dean Forest Road
 - VAR-26-0004: Buffer Variance_350 Main Street
- ✧ **Adjournment**
- ✧ **Planning Commission**
 - No Cases
- ✧ **Adjournment**

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

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

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

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

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

The Board of Zoning Appeals shall have the following powers:

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

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

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

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

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

III. Powers and Duties of the Planning Commission.

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

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

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

Procedures for Conducting Public Hearings on Proposed Zoning Decisions:

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

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

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

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

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

Board of Zoning Appeals/Planning Commission
April 7th, 2026 - 6:00 PM

Opening: **Chairman Charlie Orrel** called the meeting to order.

Roll Call: Chad Flowers, Marie Fortanez, Andy Harper, Yuridia Maldonado, Wayne Joyner, Mack Roberts, Kim Tice, and Charlie Orrel

Members present: Marie Fortanez, Andy Harper, Mack Roberts, Kim Tice, and Charlie Orrel

Staff: Carlos Nevarez (Planning Director), Kefi Maxwell (Planning Staff), Denise Grabowski: Planning Manager (Consultant)

Visitors: None present

Board of Zoning Appeals

No Cases; Charlie Orrel requests a motion to adjourn the BOA meeting, Kim Tice 1st motion, and Andy Harper 2nd motion. All in favor.

Planning Commission

NEW BUSINESS

Petition #TAM-26-001

Request: Text Amendment – Section 90-96 (Fence Ordinance)

During introduction of the item, staff referenced ongoing fencing-related issues within the City, including concerns regarding pre-existing fences that do not comply with proposed updated standards.

Public Hearing:

Chairman Orrel opened the floor for questions, comments and those in favor of the request.

Felicia Hardy, resident of 1413 Big Hill Road, expressed concerns over pre-existing fences that don't support their new text amendment.

Staff Response:

The Director explained that existing nonconforming fences may remain; however, if replaced or modified, they must comply with the updated code.

Chairman Orrel closed the public hearing.

Presentation:

Denise Grabowski (Planning Consultant) presented a PowerPoint explaining the current fence ordinance and the need to clarify code language and reduce variance requests. Examples of different fencing styles were also displayed for both residential and commercial properties.

Board Discussion:

The Commission discussed applicability of the amendment across zoning districts and material types. It was noted that added material will require planning commission's approval.

Action:

The Commission proceeded to action. All members approved Petition #TAM-26-001.

PETITION #TAM-26-002

Request: Text Amendment – Apiary Use (Sections 90-5(b) and 90-47)

Presentation:

Staff presented the request to add “Apiary” as a permitted use within the zoning ordinance.

Public Hearing:

Chairman Orrel opened the floor for questions, comments and those in favor of the request.

No one spoke.

Chairman Orrel closed the public hearing.

Board Discussion:

The Commission discussed implementation and compatibility with existing zoning districts.

Action:

Chairman Orrel made a motion to approve Petition #TAM-26-002 as presented.

Kim Tice seconded the motion.

VOTE:

The motion passed unanimously.

FINDINGS:

The Planning Commission finds that the proposed amendments improve clarity and administration of the zoning ordinance and support City Council's role as the final decision-making authority.

Respectfully submitted
Kefi Maxwell

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Planning Staff, Department of Planning & Economic Development
Date: May 5, 2026
Re: Use Approval #USE-26-0001

<i>Application Type</i>	<i>Use Request</i>
<i>Case Number</i>	#USE-26-0001
<i>Applicant</i>	Hristo Vlaykov
<i>Name of Project</i>	N/A
<i>Property Address</i>	34 Harrell Dr, Garden City GA 31408
<i>Parcel IDs</i>	6001704006
<i>Area of Property</i>	0.26
<i>Current Zoning</i>	R-1
<i>Land Use</i>	Residential

GENERAL INFORMATION

Project Description: The applicant is requesting approval of Use #130 (Short-Term Vacation Rental) for a property located at [34 Harrell Dr, Garden City GA 31408], currently zoned R-1 (Single-Family Residential). The subject property is approximately 0.26 acres and is developed with an existing single-family dwelling. The applicant proposes to operate the residence as a short-term vacation rental (STVR).

The applicant has indicated that the proposed use will comply with all applicable provisions of the City of Garden City Zoning Ordinance, including occupancy, parking, and operational requirements.

Additional Background: A business license application has been approved for Hristo Vlaykov to operate a short-term rental at 34 Harrell Dr, Garden City GA 31408. The R-1-zoned property requires Board of Appeals approval, and the request was verified as eligible by the Zoning Administrator on January 6, 2026.

FINDINGS

Pursuant to Chapter 90 (Zoning) of the City of Garden City Code of Ordinances, short-term vacation rentals (Use #130) are permitted in the R-1 district subject to approval by the Board of Appeals. Such requests are evaluated for consistency with the intent of the district and potential

impacts on surrounding properties, including noise, traffic, intensity of use, parking adequacy, and compliance with applicable licensing and operational requirements.

Staff finds the following:

- **Compliance with Chapter 90 Requirements:** The requested use is expressly identified in the ordinance as eligible for approval in the R-1 district. The application is therefore procedurally consistent with the zoning code.
- **Neighborhood Compatibility:** The property is located within an established residential neighborhood. While short-term rentals may introduce increased activity such as noise, occupancy turnover, and parking demand, it can be mitigated through conditions of approval and enforcement of existing nuisance and property maintenance regulations.
- **Prior City Practice/Policy Context:** The City currently permits STVRs subject to approval. Given that such uses have been previously approved, denial based solely on the general presence or policy concerns of STVRs would not be consistent with the ordinance or past decisions.
- **Site Suitability:** The subject property appears adequate in size and configuration to accommodate the proposed use, subject to compliance with all applicable standards.

ACTIONS

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

- i. *Approve the use request* as presented;
- ii. *Approve the use request with modifications or conditions*, in conformance with the intent of the Zoning Ordinance;
- iii. Deny the use request.

RECOMMENDATION

Approval with conditions of the use request for application USE-26-0001.

Given that the use is permitted subject to approval under the Zoning Ordinance and similar uses have already been established within the City, staff finds that the request is generally consistent with the existing zoning standards. However, conditions are recommended to mitigate potential impacts on surrounding residential properties.

Suggested Conditions of Approval:

- Compliance with all applicable noise, nuisance, and property maintenance ordinances;
- Adherence to occupancy limits established by applicable codes;
- Maintenance of a local contact available to respond to complaints.

- Continued compliance with applicable STVR operational standards under the City Code.

RECOMMENDED MOTION

*I move to **approve with conditions** the use request for application USE-26-0001, subject to the staff-recommended conditions.*

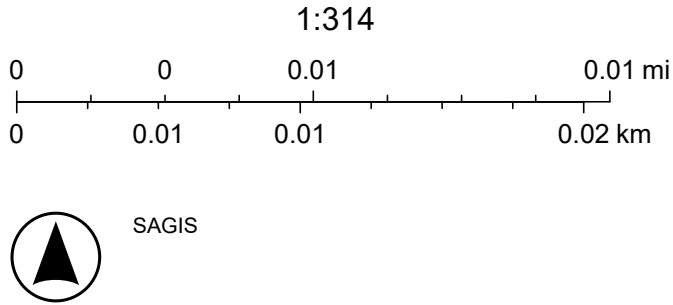
Note:

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.



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 Property Boundaries (Parcels)





MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Planning Staff, Department of Planning & Economic Development
Date: May 5, 2026
Re: VAR-26-0001

<i>Application Type</i>	<i>Variance</i>
<i>Applicant</i>	Mary Weathers
<i>Name of Project</i>	N/A
<i>Property Address</i>	102 Salt Creek Rd.
<i>Parcel IDs</i>	60990C01005
<i>Area of Property</i>	0.34
<i>Current Zoning</i>	R-1
<i>Current Land Use</i>	Residential

GENERAL INFORMATION

Project Description: The application requests a variance under Article IV, Sections 90-96, of the zoning code to approve 110 feet of existing fencing and extend it by an additional 24 feet at 102 Salt Creek Rd, Garden City, GA. The applicant explains that denial would cause hardship by requiring removal of the fence and exposing an adjacent poorly maintained yard, but states that no unique property conditions exist. The request is supported by prior communications indicating that permitting fees will be waived, and no detriment to neighbors is expected.

FINDINGS

Staff has reviewed the request in accordance with Article IV, Section 90-96 and Section 90-213(3) of the City of Garden City Zoning Ordinance. The application seeks recognition of approximately 110 feet of existing residential fencing and approval of a limited 24-foot extension at 102 Salt Creek Road. The fence was installed following storm-related damage from Hurricane Helene and was completed in reliance on a contractor who failed to follow the requirements on the approved permit and exceeded the front yard fence requirements.

The property is a standard residential lot, and no change in use, density, or activity is proposed. The request does not arise from extraordinary site conditions such as size, shape, or topography, but rather from an existing improvement installed without prior permitting during post-storm repair activity.

From a land use and impact standpoint, the fence functions as residential perimeter screening and does not alter the character or intensity of surrounding properties.

No adverse impacts to adjacent properties are anticipated beyond those normally associated with residential fencing; however, the circumstances do not demonstrate a property-specific practical difficulty or unnecessary hardship under the zoning ordinance, and the request is therefore not supported under the traditional variance standard. Any approval would need to be narrowly limited to the specific conditions presented and shall not be interpreted as establishing precedent for approval of unpermitted construction, as a waiver of the City's permitting requirements under Article IV, Section 90-96, or as limiting the City's enforcement authority under the Code. Such approval, if granted, should be understood as a site-specific resolution intended solely to address the existing condition without altering the City's regulatory framework or future application of the ordinance.

Conditions of Approval

If approved, the variance shall be subject to the following conditions:

- Approval is limited strictly to the existing approximately 110 feet of fencing and the proposed 24-foot extension as depicted in the submitted request. No additional expansion, replacement, or relocation of the fence beyond this scope is authorized by this approval.
- This approval is granted as a site-specific, de minimis adjustment and shall not be interpreted as authorization of unpermitted construction or as a waiver of the City's permitting requirements for fencing or other improvements under Article IV, Section 90-96 or any other applicable provisions of the City Code.
- This approval is based on the unique circumstances of post-storm repair and documented contractor failure to obtain required permits and shall not establish precedent for approval of future work initiated without prior permitting.
- All required permitting and inspection processes must still be completed through the City's standard procedures, including final inspection and permit closeout as determined by City staff.
- No further encroachment, extension, or modification of the fence shall occur without additional review and approval in accordance with the City's zoning and permitting regulations.
- This approval does not waive, limit, or affect the City's authority to enforce compliance with building, zoning, or code enforcement requirements for any other portion of the property or future improvements.

ACTIONS

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

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

Note:

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

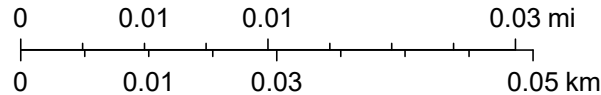
ArcGIS Web Map



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 Property Boundaries (Parcels)

1:870



SAGIS



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No removal

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Planning Staff, Department of Planning & Economic Development
Date: May 5, 2026
Re: VAR-26-0002

<i>Application Type</i>	<i>Variance</i>
<i>Applicant</i>	Hunter Maclean
<i>Name of Project</i>	N/A
<i>Property Address</i>	4405 Tremont Rd, Garden City Ga 31415
<i>Parcel IDs</i>	607201005
<i>Area of Property</i>	14.77
<i>Current Zoning</i>	I-2
<i>Current Land Use</i>	Industrial

GENERAL INFORMATION

Project Description: The application seeks a variance to allow stacking containers higher than the current ordinance permits on a specific industrial property at 4405 Tremont Road, Garden City, GA. The property is uniquely situated, surrounded by industrial and rail operations, which supports the request. The applicant argues that strict application of the height limit creates practical difficulties and that granting the variance will not harm the community or adjacent properties.

Additional Context: The request is limited to increasing stacking height on specific portions of the site rather than across the entire property. The application is being reviewed under the variance criteria of Section 90-213(3) of the City of Garden City Zoning Ordinance.

FINDINGS

Staff has determined the application is complete. Under Section 90-213(3), the Board of Appeals may authorize a variance where strict application of the ordinance results in a practical difficulty or unnecessary hardship arising from property-specific conditions, provided the relief is not contrary to the public interest or the intent of the ordinance.

The variance standard directs the Board to consider the following in order:

1. Variance Request Summary

The applicant requests a variance from Section 90-47(100) to allow increased container stacking heights on limited portions of the property at 4405 Tremont Road within the I-2 zoning district. The request is intended to improve operational efficiency for intermodal container storage within a port-industrial corridor.

2. Hardship Determination

The applicant asserts that strict application of the ordinance creates a practical difficulty due to modern container logistics practices and the operational demands of a port-oriented industrial site.

Applicant's stated basis for hardship includes:

- Fixed stacking height limitation that does not reflect current intermodal container handling practices
- Reduced operational efficiency for container storage activities
- Location within an established industrial and rail-served corridor
- Differing stacking standards in the adjacent City of Savannah industrial system

Staff notes these assertions primarily relate to operational efficiency and regional regulatory variation. These factors require consideration in determining whether they constitute a property-specific hardship under Section 90-213(3), rather than a general limitation associated with the permitted industrial use.

3. Existing Site Conditions

Relevant site conditions include:

- Located adjacent to rail and roadway infrastructure
- Separated from residential and commercial sensitive receptors
- Landscaped buffer along Tremont Road with vegetated perimeter characterized by mature, tree-dense screening rather than ornamental buffering
- Previously utilized as a high-intensity industrial/storage site and subsequently remediated

These conditions place the property within an active industrial context consistent with surrounding port-related land uses.

4. Purpose and Intent of Section 90-47(100)

Section 90-47(100) establishes a maximum container stacking height to:

- Regulate bulk intensity
- Limit un-engineered vertical stacking of industrial materials
- Maintain fire access and emergency response visibility
- Preserve internal circulation and operational safety
- Prevent storage areas from functioning as de facto structural development
- Ensure consistent development standards across the I-2 district

5. Public Interest & Impact Considerations

If hardship is established, the Board must determine whether the requested variance would be contrary to the public interest or impair the intent of the ordinance.

Potential impacts associated with increased stacking height include:

- Structural stability under wind and load conditions
- Fire access and emergency response
- Interface with adjacent rail and roadway infrastructure
- Increased bulk intensity of outdoor storage operations

Contextual considerations:

- Impacts are primarily operational and safety-related rather than land use compatibility

Mitigation measures proposed by the applicant (including stacking configuration and setbacks) are relevant but must be enforceable to ensure effectiveness.

6. Regional Context

The applicant references container stacking practices in the City of Savannah as comparative context for more flexible regulatory treatment within the broader port-industrial system.

Key context:

- Savannah regulates container storage through site design and operational standards (including setbacks and layout), rather than a fixed stacking cap (Sec. 5026).
- Garden City applies a uniform maximum stacking height within the I-2 district
- These regulatory approaches differ by jurisdiction and are not determinative under Section 90-213(3)

This information is considered contextual only and does not establish hardship or entitlement.

7. Required Order of Consideration

The Board's review is guided by Section 90-213(3) and proceeds as follows:

1. Determine whether a property-specific practical difficulty or unnecessary hardship exists
2. Evaluate whether the property conditions support that determination
3. Assess impacts and public interest considerations
4. Determine consistency with the intent of Section 90-47(100)
5. Consider regional context as informational only

ACTIONS

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

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

Note:

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

ArcGIS Web Map



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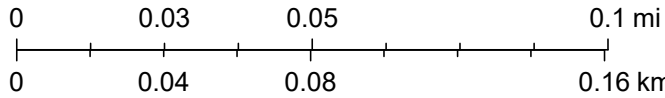
 Property Boundaries (Parcels)

Wetlands NWI

 Freshwater Forested/Shrub Wetland

 Freshwater Pond or Lake

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SAGIS

4405 Tremont – Variance Request

Narrative: 4405 Tremont Road

A. Extraordinary and Exceptional Conditions

The subject property at 4405 Tremont Road possesses unique physical and locational characteristics that distinguish it from typical industrial parcels within Garden City:

Remediated Brownfield: The property was previously utilized for high-intensity salvage and outdoor storage. Following significant environmental remediation, the site's physical and environmental condition have been improved.

Site Isolation: The parcel is physically bounded by rail lines, rights-of-way, and heavy industrial (I-2) users. Notably, the property is located directly across from the jurisdictional boundary of the City of Savannah, where no variance would be required to permit the intended use of the property.

Industrial Area: The parcel is not adjacent to any residential or commercial properties and no such sites exist within the vicinity of the property.

B. Practical Difficulty and Unnecessary Hardship

The strict application of Sec. 90-47(100)(a) regarding the height of container stacking creates a practical difficulty in utilizing this specific parcel:

Arbitrary Height: The three-high limit for container stacking does not account for modern intermodal standards. While applicant understands the need to protect residential or commercial corridors from stacking operations, no such concern exists for the subject property, which is surrounded by industrial and rail operations. The Garden City ordinance is specifically designed to protect residential residents, not adjacent industrial users.

City of Savannah Regulations: Because the City of Savannah property directly across Tremont permits a more flexible stacking plan, the Garden City Ordinance creates a localized issue, as 4405 Tremont Road is held to a different standard than properties in the vicinity.

C. Peculiarity of Conditions

The conditions listed above are peculiar to 4405 Tremont Road and are not generally shared by other properties in the I-2 district:

Location: While other I-2 properties may exist near residential or commercial transitions, this property is uniquely insulated. It is bordered by rail, heavy industrial users, and City of Savannah property.

Environmental: The property's history as a remediated and cleaned-up site is distinguishable from other greenfield sites.

D. Relief Would Not Cause Detriment to Public Good or Intent of the Ordinance

Granting this variance will not cause detriment to the public good or impair the intent of the Zoning Ordinance:

Preservation of Purpose: The intent of the height restriction is to protect the viewshed of residential neighborhoods and maintain community character. However, there are no residential properties within the vicinity that would be impacted by the height of the containers.

Ongoing Safety: The applicant proposes to utilize a container stacking plan consistent with the City of Savannah's standards (including a 1:2 rise-to-run ratio and 30-foot setbacks). This stacking plan also accounts for wind load requirements and ensures that structural integrity is maintained, protecting the public safety of the adjacent rail lines and Tremont Road and ensuring setbacks and buffers are maintained on the property.

Consistent Land Use: Because the adjacent properties are already I-2 or heavy rail, allowing higher container stacking does not introduce an out of place use in this corridor.

4405

TREMONT RD

105 FOR LEASE
SAVANNAH
GA 31415





NOTE: PARKING REQUIREMENT IS BASED ON THE ASSUMPTION OF 1,000 SF OFFICE SPACE AND 52 EMPLOYEES. PARKING REQUIREMENTS ARE 1 SPACE PER 300 SF OF OFFICE SPACE AND 1 SPACE PER EMPLOYEE.

REVISIONS	NUMBER	DESCRIPTION	DATE

PROJECT #:	N/A
DESIGNED BY:	CJM
DRAWN BY:	CJM
DATE:	03/26/2026

SHIPPING CONTAINER CONCEPT

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Planning Staff, Department of Planning & Economic Development
Date: May 5, 2026
Re: VAR-26-0003

<i>Application Type</i>	<i>Variance</i>
<i>Applicant</i>	Vallencourt Construction Co., Inc.
<i>Name of Project</i>	N/A
<i>Property Address</i>	204 Dean Forest Rd.
<i>Parcel IDs</i>	60924A02011
<i>Area of Property</i>	2
<i>Current Zoning</i>	I-2
<i>Current Land Use</i>	Vacant

GENERAL INFORMATION

Project Description: The application seeks a variance for the Parson Industrial Yard Expansion located at 204 Dean Forest Road, a 2-acre vacant property zoned I-1. The request includes (1) expansion of an existing nonconforming truck terminal use onto the subject parcel and (2) removal of the required buffer along the southern property line. The applicant asserts that the parcel's limited width, constrained access, and functional relationship to the adjacent truck terminal restrict its ability to be developed independently, and that the requested relief is necessary to facilitate integration of the property into the existing industrial operation.

Additional Context: The applicant has also indicated a willingness, with planning support, to unify the subject property with adjacent parcels under common ownership and/or control.

FINDINGS

Staff has reviewed the request in accordance with Section 90-213(3) of the City of Garden City Zoning Ordinance, which authorizes a variance where strict application of the ordinance results in a practical difficulty or unnecessary hardship arising from property-specific conditions, provided such relief is not contrary to the public interest or the intent of the ordinance.

The application requests (1) expansion of an existing nonconforming truck terminal use onto the subject parcel and (2) removal of the required buffer along the southern property line.

The record indicates that the subject parcel is constrained in its ability to function as a standalone industrial site. Relevant conditions include:

- Limited lot width relative to typical industrial development standards
- Restricted access, including the unlikelihood of obtaining a curb cut onto Dean Forest Road
- Functional dependence on the adjacent truck terminal for viable use

Taken together, these conditions support consideration of the parcel as part of a unified industrial operation rather than an independent site and may establish a practical difficulty tied to the property itself.

The proposed expansion occurs on a parcel directly contiguous to the existing truck terminal and is intended to be recombined into a single site. While expansion of nonconforming uses is generally discouraged, the physical continuity and operational integration indicate that the request functions as an extension of an established industrial use within an existing industrial area.

The request to remove the required buffer along the southern property line introduces a separate consideration. The southern boundary abuts property zoned C-2 (Heavy Commercial), where buffering is intended to mitigate visual and operational impacts between differing districts. Relevant considerations include:

- The role of buffers in screening industrial activity from adjacent uses
- Ongoing concerns within the City regarding visibility and concealment of industrial properties
- The presence of existing vegetation, which provides partial screening but does not replace required buffering

While strict application of the buffer requirement may constrain site usability, full removal without mitigation would be inconsistent with the intent of the ordinance.

The proposed expansion is not expected to introduce new access points or significantly alter traffic patterns, as it will operate as part of the existing truck terminal. However, the expansion and reduction of buffering may increase the visibility and intensity of industrial activity. These impacts are primarily related to screening and site design and can be addressed through enforceable conditions.

Based on the foregoing, Staff finds that the property exhibits constraints that may support a finding of practical difficulty in its standalone use, and that the proposed expansion is consistent with the surrounding industrial context. However, removal of required buffering without mitigation would conflict with the intent of the zoning ordinance.

Staff finds that the requested relief may be appropriate due to the site's physical constraints and its integration with an existing industrial use; however, such approval should be conditioned to ensure that buffering, screening, and compatibility with adjacent properties are maintained in a manner consistent with the intent of the zoning ordinance.

ACTIONS

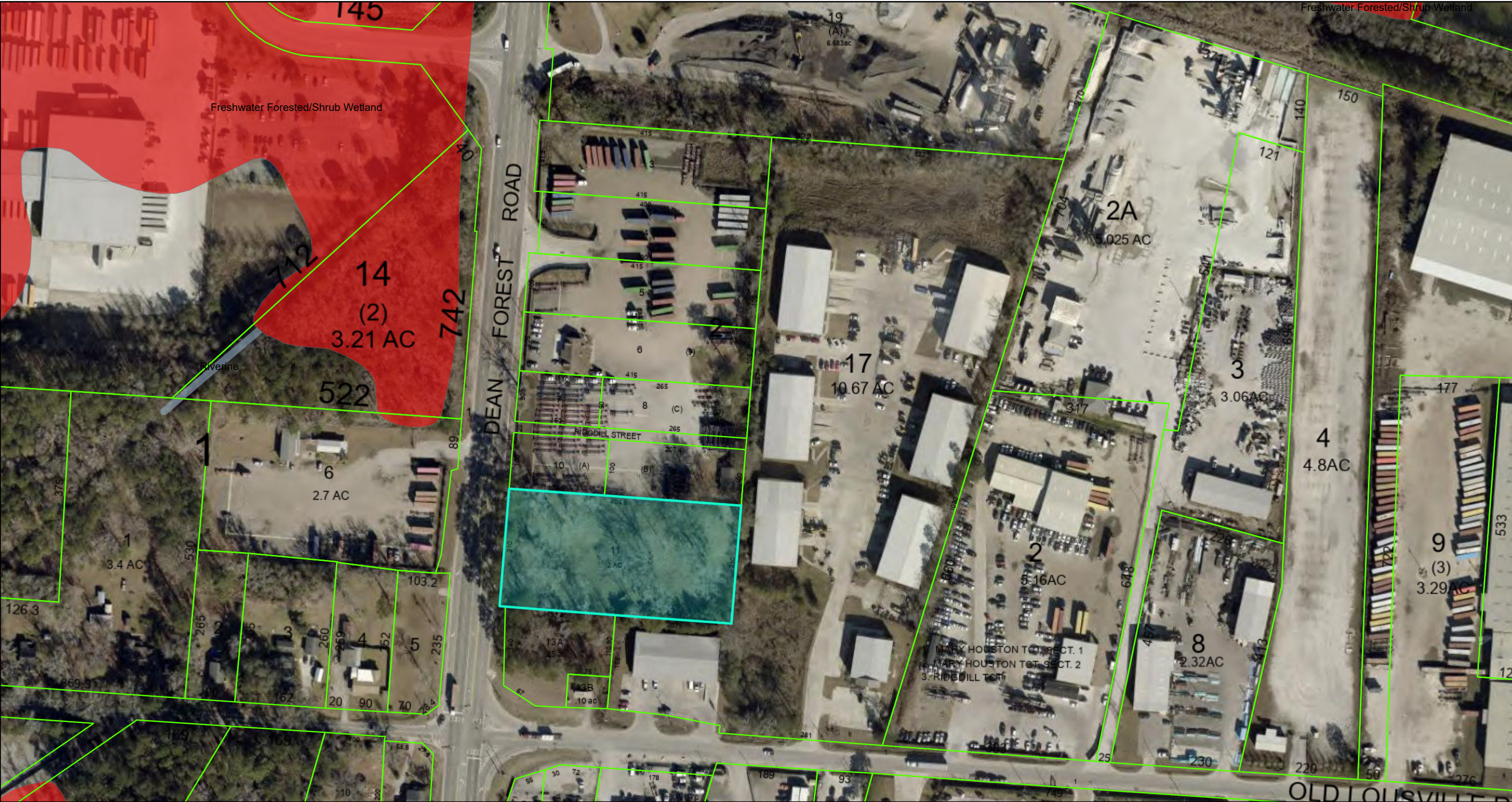
The Planning Commission shall take one of the following formal actions:

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

Note:

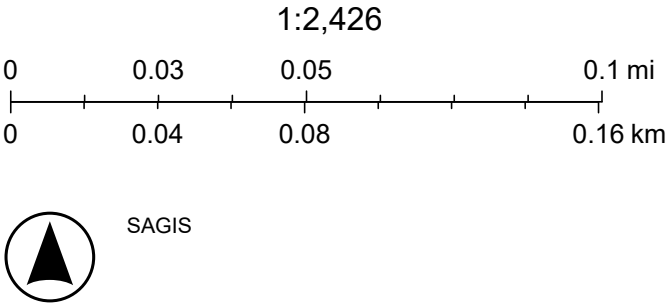
Approval, if granted, by the Planning Commission only constitutes the initial step in the overall process and additional requirements still must be met prior to commencement of any construction activities. The Petitioner should note that final approval of the site plan will require City staff approval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

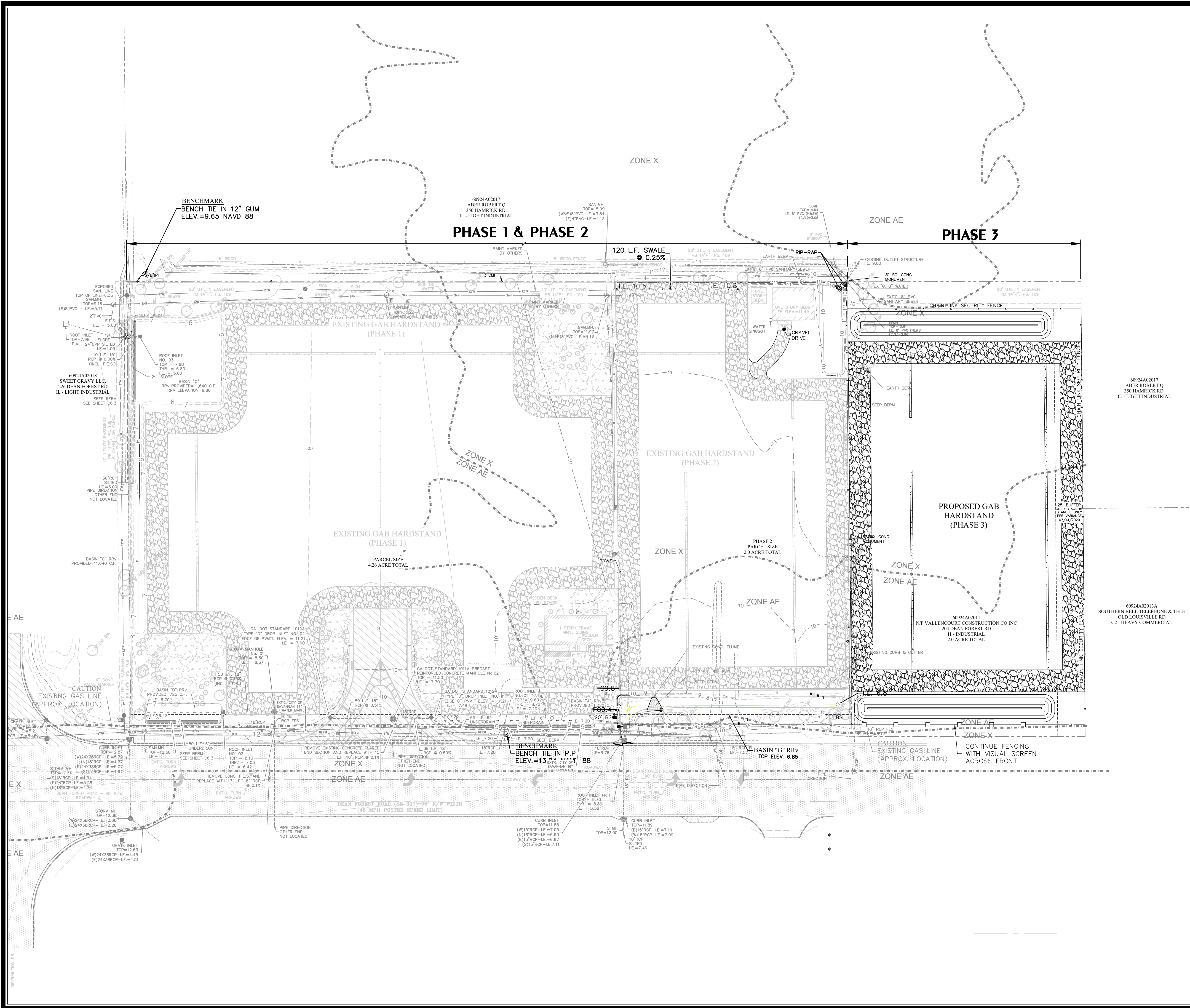
ArcGIS Web Map



5/4/2026, 12:43:30 PM

- Property Boundaries (Parcels)
- Wetlands NWI
 - Freshwater Forested/Shrub Wetland
 - Riverine





GRAPHIC SCALE

1" = 40'

0' 20' 40' 60' 80'

NOTE: ALL ELEVATIONS ARE NAVD 1988.

DESIGNED: G.L.S. S.M.L. T.W.C.

DRAWN: S.M.L. T.W.C.

CHECKED: T.W.C.

DATE: MARCH 20, 2026

JOB NO. 126307502

SCALE: 1" = 40'

DEAN FOREST ROAD PHASE 3

COMMERCIAL TRUCK YARD SITE

GARDEN CITY, GEORGIA

FOR

K&S ENTERPRISE OF KANSAS CITY INC.

DRAWING NUMBER

December 14, 2018 8:56 AM

Printed By: jnc@k&s



GARDEN CITY
PLANNING &
ECONOMIC DEVELOPMENT

July 15, 2020

Nick Nichols
15 Chastain Circle
Richmond Hill, GA 31324

Dear Applicant:

Petition PC2010 for an amended variance request of a reduced buffer from the 50ft requirement to a 25ft variance of the South side and the East side of the property to lessen site operational restrictions and to maximize the cosmetics of the property located 204 Dean Forest Road; PIN 6-0924A-02-011 was brought before the Board of Zoning Appeals/Planning Commission on July 14, 2020.

Staff in consideration of City Code has reviewed the request and recommended approval of this variance request.

The Zoning Board of Appeals/Planning Commission on its own motion voted in favor by majority to approve the request; Commissioner Perry voted in opposition. If you have any questions or if I can be of further assistance, please call the Department of Planning and Economic Development at (912) 963-2756.

Sincerely,

Tonya Roper
Administrative Services
On Behalf of Scott Robider; Interim Director
Office of Planning, Zoning & Building

MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Planning Staff, Department of Planning & Economic Development
Date: May 5, 2026
Re: VAR-26-0004

<i>Application Type</i>	<i>Variance</i>
<i>Applicant</i>	Pritesh Patel
<i>Name of Project</i>	350 Main Gas Station
<i>Property Address</i>	350 Main Street
<i>Parcel IDs</i>	6001607009 & 6001607010
<i>Area of Property</i>	0.811
<i>Current Zoning</i>	C-2A
<i>Current Land Use</i>	Vacant

GENERAL INFORMATION

Project Description: The application seeks a variance for the property located at 350 Main Street, identified by parcel IDs 6001607009 and 6001607010, currently zoned C-2A and vacant. The request is to reduce the front yard setback from 70 feet to 40 feet along a major arterial roadway (US 17/Main Street) to accommodate required off-street parking and loading spaces for a proposed gas station development. The applicant asserts that the triangular shape of the parcel and its corner configuration limit the ability to provide required parking within the existing setback standards, and that the requested reduction is necessary to facilitate site layout.

Additional Context: The subject property is located within an area characterized by commercial and service-oriented uses, including nearby lodging and neighborhood-serving retail. The Future Land Use Map designates this area as a Commercial Redevelopment Area, which anticipates reinvestment and improved site design over time. The front yard setback is meant to keep development set back from the road so visibility, access, and development patterns remain consistent along the corridor.

FINDINGS

Staff has reviewed the request in accordance with Section 90-213(3) of the City of Garden City Zoning Ordinance, which authorizes a variance only where strict application of the zoning standards results in a practical difficulty or unnecessary hardship arising from property-specific conditions, and

where such relief is not contrary to the public interest or the intent of the ordinance. In evaluating the request, staff considered the site conditions in relation to the applicable front yard setback requirement.

Relevant conditions include:

- The triangular configuration of the parcel and corner orientation along a major arterial roadway
- The presence of a uniform 70-foot front yard setback established as part of corridor management standards along US 17/Main Street
- Parking and circulation demands associated with the proposed development plan
- The site is in a commercial area where development must follow consistent setback and design rules.

While the parcel's geometry introduces certain site design constraints, such conditions are common among corner parcels along arterial corridors and are typically addressed through conventional site planning within the existing zoning framework. The record indicates that the request is driven by the proposed development layout rather than a demonstrated inability to reasonably utilize the property under the existing setback standards. As such, Staff finds that the application does not establish a property-specific practical difficulty or unnecessary hardship as contemplated by Section 90-213(3). Granting the requested reduction would further diminish the intended corridor management function of the US 17/Main Street setback standard along a major arterial roadway.

ACTIONS

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

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

Note:

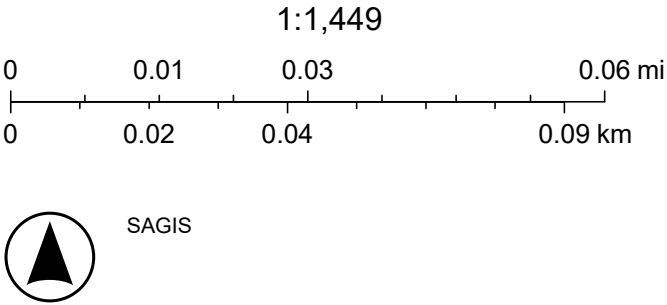
Approval, if granted, by the Planning Commission only constitutes the initial step in the overall process and additional requirements still must be met prior to commencement of any construction activities. The Petitioner should note that final approval of the site plan will require City staff approval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

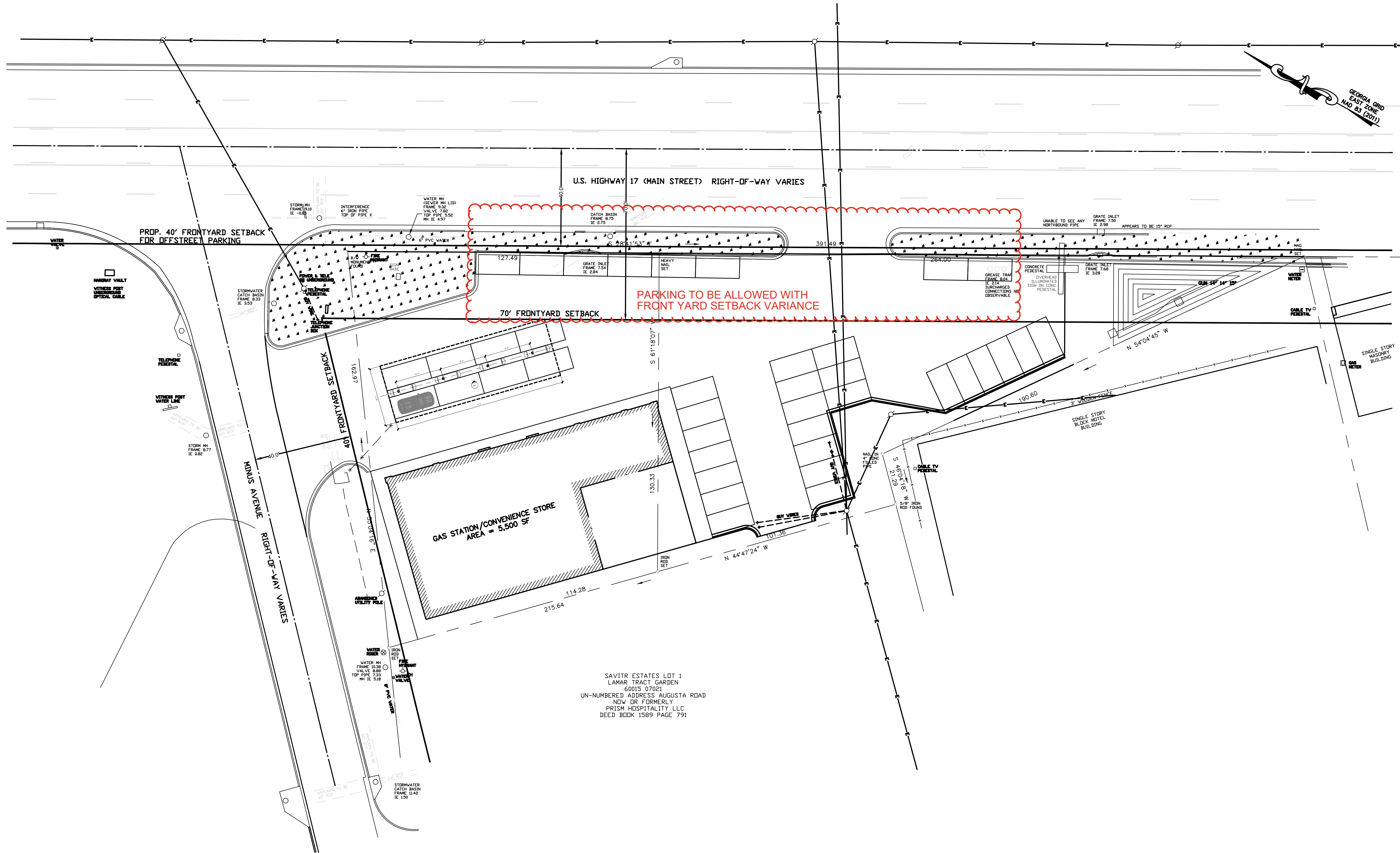
ArcGIS Web Map



5/4/2026, 12:45:40 PM

- Property Boundaries (Parcels)
- Wetlands NWI
 - Freshwater Forested/Shrub Wetland
 - Riverine





PARKING REQUIREMENTS

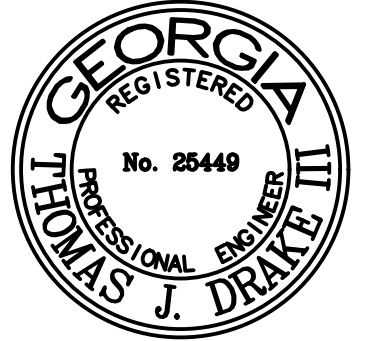
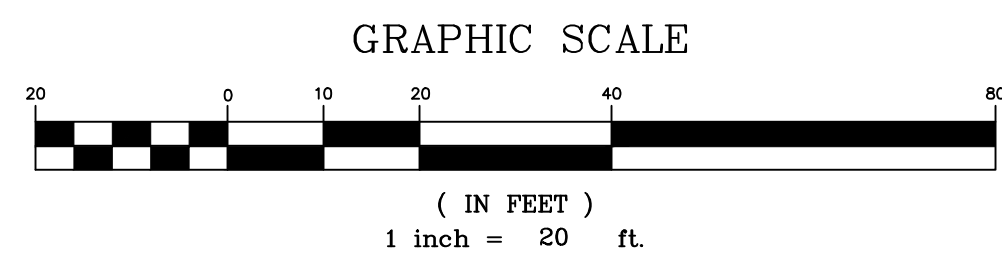
SEC. 90-130: EACH PARKING SPACE SHALL NOT BE LESS THAN 8.5' X 20'
SEC. 90-129: OFF STREET PARKING REQUIREMENTS PER THE GROSS FLOOR AREA
(21) FOOD STORES, DEPARTMENT STORES AND VARIETY STORES

1 PARKING SPACE / 150 SF REQUIRED:
5,500 SF PROPOSED BUILDING GROSS FLOOR AREA
PARKING SPACES REQUIRED: 5,500 SF / 150 = 37 SPACES
PARKING LOTS 26-50 SPACES REQUIRE 2 ADA ACCESSIBLE PARKING SPACES

PROVIDED PARKING SPACES:
37 REGULAR PARKING SPACES
2 ADA ACCESSIBLE SPACES
39 PARKING SPACES ARE PROVIDED



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0000017029 EXPIRES 03-13-2026

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F (706) 868 4400
www.nandinainc.com

SHEET REVISIONS

RELEASE DATE: JANUARY 27, 2026

GARDEN CITY GAS STATION
350 MAIN ST, GARDEN CITY, GA 31408

GARDEN CITY, GEORGIA

SITE PLAN

NANDINA PROJECT NUMBER: 032504 | PROJECT LOCATION: CHATHAM COUNTY, GEORGIA
DRAWING INFORMATION

DRAWING NUMBER

C2.1

FOR APPROVAL