Susan and David Silverman
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Coral Bay, St John

16 April 2024

To: Members of the 35th Legislature of the Virgin Islands (via email)

From: Susan and David Silverman

Subject: **Bill 35-0137 (Use variance for Parcel No. 9-3 Estate Glucksberg)**


Dear Senators of the 35th Legislature,

We understand that a proposed zoning variance for Parcel 9-3 Estate Glucksberg, St John, will be coming before the Committee of the Whole on Wednesday, April 17, 2024. We attended the 2023 zoning hearing on this project and have read the submitted written testimonies for the Committee of the Whole hearing and would like to offer a few brief comments for your collective consideration.

First, we agree entirely with all of the testifiers who are speaking about the severe shortage of affordable housing on St John, and throughout the territory. There is no question that this must be urgently addressed, not only for the sake of St Johnian families, but also for the businesses which depend on housing for local staff in order to survive. However, we do not believe that the proposed project is an effective means to address this problem.

Our issue with the proposed development on Gifft Hill Road in St John primarily revolves around the density of the project. The developer is requesting a variance to allow placement of 36 shipping containers, arranged in six clusters of six containers each, on a 1.1-acre building lot in an R-2 residential zone. Each shipping container will be configured for two apartments of approximately 160 square feet each, for a total of 72 apartments, housing 144 persons, on a single building lot. Each cluster of 12 apartments would have a single shared cooking area.

In addition to the 72 apartment units the site plan depicts parking for 45 vehicles, although the zoning code requires a minimum of one parking space per apartment. The illustration below demonstrates the density of this proposed project, even with the reduced number of parking spaces:
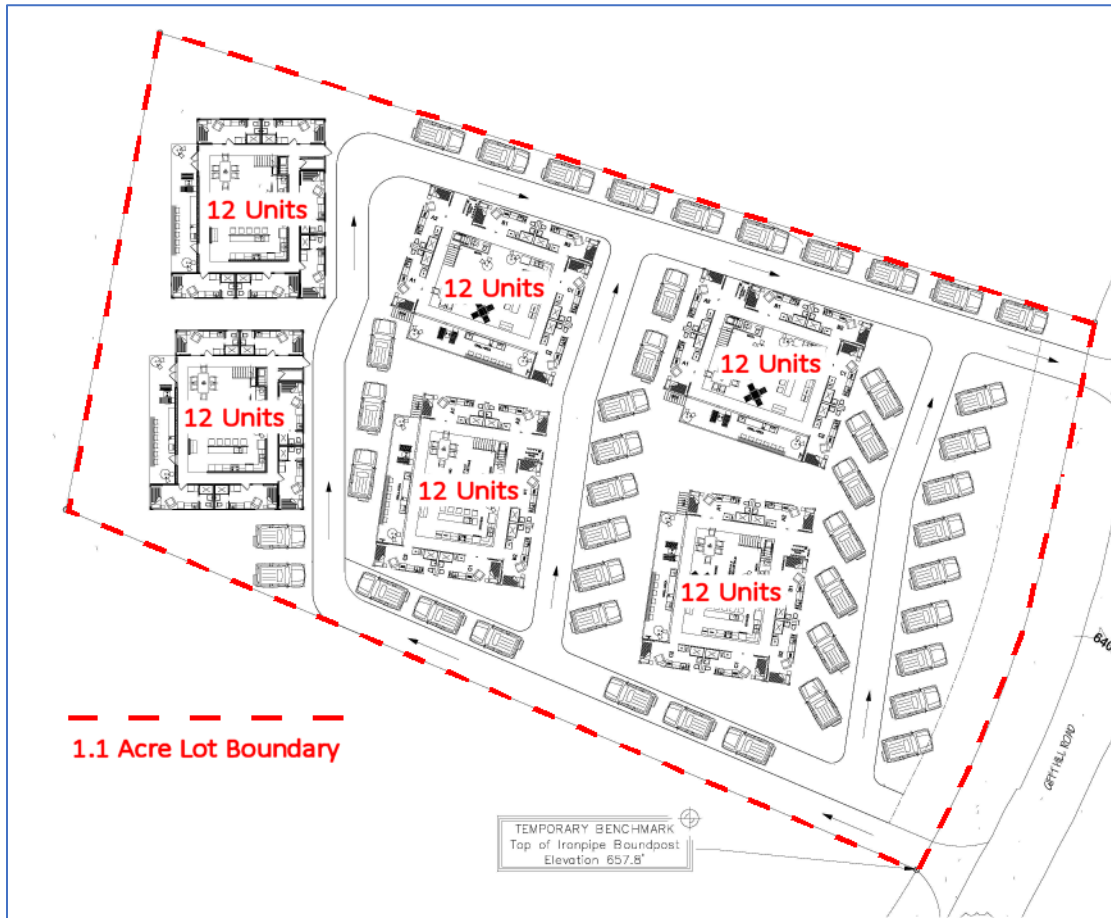
The surrounding neighborhood is residential, consisting primarily of lots with one or two housing units per lot. The Gifft Hill School is located directly across the road from the project.

Title 29, Section 238(a) of our zoning code specifies the conditions for issuance of a zoning variance. The relevant language reads that the Legislature may issue a variance for a specific use "which would not substantially conflict with the permitted uses in the zoning district" and subject to the proviso that "all other requirements of that zoning district will continue to apply."

The location of this project, surrounded by single-family homes, is in direct conflict with the permitted and actual uses of the district, as the illustration below shows:

At 144 residents, there is more human occupancy on the single project lot than in all of the other lots depicted in the illustration above, combined. Without a public sewer system and without a public potable water supply the traffic from water delivery and the management of waste water from a dense concentration of over 100 people will almost certainly impact the neighborhood. There has been no traffic study or pedestrian study to assess the impact of the additional vehicular load on the public roadway. All of these concerns should be sufficient to illustrate that the proposed use is, in fact, in substantial conflict with the permitted uses in the district.

One final question is appropriate: as each of you consider the applicant's request for a zoning variance, ask yourself, would you and your family, or your children's family, be comfortable living in a "workers' dormitory" with 71 other families, in a cluster with a shared kitchen, and 160

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square feet of interior living space? If your answer is yes, if you see this as appropriate housing for young Virgin Islands families, then you should have little reservation in approving the variance. However if you do not see this as the sort of housing we want to be promoting for the Virgin Islands, then the variance should be denied.

Respectfully,

Susan Silverman, St John   David Silverman, St John