



CITY OF FOREST PARK
PLANNING COMMISSION MEETING

Thursday, August 21, 2025 at 6:00 PM
City Hall | 745 Forest Parkway, Forest Park, GA 30297

Website: www.forestparkga.gov
Phone Number: (404) 366-4720

PLANNING & COMMUNITY DEVELOPMENT
785 Forest Parkway
Forest Park, GA 30297

AGENDA

Azfar Haque, Chairman
Michael Clinkscales, Vice Chairman
Roderick Jackson, Member
Donald Williams, Member
Lois Wright, Member

CALL TO ORDER/WELCOME:

ROLL CALL:

APPROVAL OF MINUTES:

1. Approval of July 17, 2025 Meeting Minutes

OLD BUSINESS:

2. Case# VAR-2025-10 - Variance Request for 3953 Jonesboro Road, Parcel# 13015A A012. The applicant, Robert King, is requesting a variance to allow the reduction of the rear yard setback from the required thirty (30) feet to twenty-five (25) feet, an increase in the maximum lot coverage from the required seventy percent (70%) to seventy-six percent (76%), and a reduction in the required parking from fifty-eight (58) spaces to twenty-nine (29) spaces. These variances are being requested to permit the construction of a gasoline service station with an attached restaurant suite/business space in the General Commercial (GC) District, located in Ward 1.

NEW BUSINESS:

3. Case# CUP-2025-04 - Conditional Use Permit for 5000 Governors Drive, Parcel# 13051C A003B. The applicant, Seacoast at Governors Glen, is requesting a Conditional Use Permit to establish and operate an assisted living facility within the Single-Family Residential District (RS) in Ward 2.

4. Case# VAR-2025-12 - Variance Request for 459 Cynthia Lane, Parcel# 13083C B001. The applicant, Brenda Lopez, is requesting a Variance to allow an increase of the allowed maximum accessory structure square footage by 241.73 square feet. The Variance is being requested to construct an 841.73 square foot accessory structure in the rear yard of the property located within a Single-Family Residential District (RS) located in Ward 4.
5. Case# RZ-2025-02 - Rezone Request for 486 Main Street, Parcel# 13051A A005 and 0 Burks Road, Parcel# 13051A A004 and Parcel# 13051A A006. The applicant, Yaritza Hernandez, is requesting to Rezone the property from Multiple-Family Residential District (RM) to General Commercial District (GC) to allow the development of a unified parking area supporting future business operations in Ward 1

ADJOURNMENT:



**CITY OF FOREST PARK
PLANNING COMMISSION MEETING**

Thursday, July 17, 2025 at 6:00 PM
City Hall | 745 Forest Parkway, Forest Park, GA 30297

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PLANNING & COMMUNITY DEVELOPMENT
785 Forest Parkway
Forest Park, GA 30297

MINUTES

Azfar Haque, Chairman
Michael Clinkscales, Vice Chairman
Roderick Jackson, Member
Donald Williams, Member
Lois Wright, Member

CALL TO ORDER/WELCOME:

Vice Chairman Michael Clinkscales called the meeting to order at 6:08 PM.

ROLL CALL:

PRESENT:

Michael Clinkscales
Donald Williams
Lois Wright

ABSENT:

Azfar Haque
Roderick Jackson

ALSO PRESENT:

Nicole Dozier, Director of Planning & Community Development
Danielle Matricardi, City Attorney
Latemia Richards, Planner I
Latonya Turner, Planning & Community Development Office Coordinator

APPROVAL OF MINUTES:

1. Approval of June 20, 2025 Meeting Minutes

Lois Wright made a motion to approve the June 20, 2025, Meeting Minutes. The motion was seconded by Donald Williams and approved unanimously.

OLD BUSINESS: None

NEW BUSINESS:

2. **Case# VAR-2025-10-Variance Request for 3953 Jonesboro Road, Parcel # 13015A A001.** The applicant, Robert King, is requesting a variance to allow the reduction of the rear yard setback from the required thirty (30) feet to twenty-five (25) feet, an increase in the maximum lot coverage from the required seventy percent (70%) to seventy-six percent (76%), and a reduction in the required parking from fifty-eight (58) spaces to twenty-nine (29) spaces. These variances are being requested to permit the construction of a gasoline service station with an attached restaurant suite/business space in the General Commercial (GC) District, located in Ward 1.

Background/History:

The applicant, Robert King, requests variances for the vacant 1.33-acre parcel at 3953 Jonesboro Road to facilitate development of a gasoline service station with an attached restaurant or tenant space. Requested variances include reducing the rear yard setback from 30 feet to 25 feet, increasing lot coverage from 70% to 76%, and reducing the number of parking spaces from 58 to 29. Staff noted these variances address site constraints and support reinvestment consistent with the General Commercial (GC) District. Approval is subject to conditions including substantial conformance to the submitted site plan; enhanced rear and side landscaping; submission and approval of a parking management plan; review of building design and materials for compatibility; submittal of a compliant lighting plan; use restriction to a gasoline station with attached commercial space; approval by the Urban Design Review Board (UDRB) before permitting; and compliance with all applicable regulations.

Director Nicole Dozier presented the request, noting that while the item was being heard, a decision would be deferred until the August meeting due to ongoing ownership matters. The 1.33-acre property is vacant and located west of Jonesboro Road and south of Ruskin Drive, with 300 feet of frontage. The variances are requested to address physical constraints while allowing development consistent with the district's intent. Staff recommended approval with eight conditions, including site plan compliance, enhanced landscaping, a shared parking management plan, architectural review, lighting and security requirements, use restrictions, Urban Design Review Board approval, and compliance with all applicable regulations.

Public Comments:

Robert King, engineer of record, described the project location and scope, noting it is near McDonald's, Home Depot, and other commercial uses north of the city limits along Jonesboro Road. He confirmed understanding of the staff's conditions.

Fiyoz Lilywala stated that he and his wife plan to develop a modern gasoline station with an attached restaurant, potentially a franchise. He emphasized their commitment to using quality materials, enhancing the site's appearance, and creating a business that complements the surrounding area while meeting city requirements.

Lois Wright made a motion to table Case# VAR-2025-10 until the August 21, 2025, meeting. The motion was seconded by Donald Williams and approved unanimously.

3. **Case# VAR-2025-11-Variance Request for 655 Bridge Avenue, Parcel # 13050C F011.** The applicant, City of Forest Park, Public Works Department, is requesting a variance to reduce the required front yard setback from twenty-five feet (25') to eleven feet and eleven inches (11'11") for the purpose of constructing an accessory structure. The subject property is located within the General Commercial (GC) District, in Ward 2.

Background/History:

The City of Forest Park Public Works Department requests a variance for the property at 655 Bridge Avenue, a 0.60-acre parcel zoned General Commercial (GC), to reduce the required front yard setback from 25 feet to 11 feet 11 inches. The variance is needed to accommodate the construction of a new concrete slab for a future metal maintenance building. Staff notes that the parcel's shape and corner location create challenges in meeting setback requirements. Approval will support essential municipal operations, improve site functionality, and will not negatively impact neighboring properties or the character of the area while remaining consistent with the intent of the GC District standards.

Director Dozier stated that the Public Works department is seeking to construct an accessory structure for storing holiday decorations and related items. The variance is required due to the proposed location's proximity to the principal structure. Staff found the criteria for approval met and recommended approval.

No public comments were received.

Donald Williams made a motion to approve Case# VAR-2025-11. The motion was seconded by Lois Wright and approved unanimously.

4. **Case #CUP-2025-03 – Conditional Use Permit for 4959 West Street, Parcel ID # 13051D A067 and 4965 West Street, Parcel # 13051D A066.** The applicant, Breanna Jackson is requesting a conditional use permit to establish a childcare center within the Single-Family Residential District (RS) in Ward 2.

Background/History:

The applicant, Breanna Jackson, requests approval of a Conditional Use Permit (CUP) to operate a childcare center serving children aged 6 weeks to 12 years at 4959 and 4965 West Street. The facility will be located at 4959 West Street for infants and toddlers (6 weeks to 2 years) and at 4965 West Street for preschool and school-aged children (3–12 years), with hours of operation Monday through Friday, 7:00 a.m. to 6:00 p.m. The property is zoned Single-Family Residential (RS), where childcare centers are a conditional use, subject to approval by the Planning Commission. Staff recommends approval with conditions, including compliance with parking standards as outlined in Section 8-8-90 of the City of Forest Park Zoning Ordinance, and a requirement that any future operator must obtain a new CUP before commencing childcare operations. The site has a history of prior childcare use, and staff notes compatibility with the neighborhood and consideration of traffic impacts.

Director Dozier presented a request for a Conditional Use Permit to allow a childcare center at 4959 and 4965 West Street serving children from six weeks to twelve years old in two existing buildings. The property, previously used for the same purpose, is located in a Residential Single-Family District and is considered compatible with surrounding uses. While noting that staff found no anticipated adverse

impacts on traffic, public health, or property values, Director Dozier stated that the parking area is unpaved, unstriped, and lacks defined circulation. Staff recommended approval with two conditions: that the parking be brought into compliance with zoning and circulation requirements, and that any future operator obtain a new CUP, with the owner responsible for completing all required parking improvements before a new tenant occupies the site.

Lois Wright expressed concern about placing the financial burden of complete parking improvements and circulation changes on a new tenant, given the site's long-standing use as a childcare center without such requirements. She stated that the owner should be held responsible for upgrades if a future tenant occupies the site.

No public comments were received.

Lois Wright made a motion to approve Case# CUP-2025-03 with the following modifications: Condition 1, requiring parking lot improvements, was removed for the current applicant; and Condition 2 was revised to require that the property owner completes all parking upgrades before any new tenant occupies the site. The motion was seconded by Donald Williams and approved unanimously.

5. **Case #TA-2025-02 – Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article A. – Definitions, of the City of Forest Park Code of Ordinances to amend such section, adding Definitions for Electric Vehicle (EV) Charging Stations and Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article C. – Development and Use Standards, of the City of Forest Park Code of Ordinances to amend such section, adding section 8-8-97 Electric Vehicle (EV) Charging Stations.**

Background/History:

The proposed text amendment updates the City of Forest Park Code of Ordinances, Title 8 – Planning and Development, Chapter 8 – Zoning, to support the development of Electric Vehicle (EV) infrastructure. The amendment establishes definitions for EV-related terms and sets standards for the installation, use, and aesthetics of EV charging stations and EV parks, promoting sustainable, safe, and visually appealing infrastructure throughout the City.

Director Dozier presented a text amendment to Title 8, Chapter 8, to establish zoning provisions for electric vehicle (EV) infrastructure. The amendment defines EV-related terms, outlines applicability to nonresidential parcels, and permits installation of charging stations and EV parking spaces. It includes requirements for paving, striping, access dimensions, landscaping, lighting, screening, signage, and trash receptacles, along with standards for maintenance, utility coordination, and code compliance. She noted it would not apply to existing stations but would guide future installations.

No public comments were received.

Lois Wright made a motion to approve TA-2025-02. The motion was seconded by Donald Williams and approved unanimously.

ADJOURNMENT:

Donald Williams made a motion to adjourn the meeting at 6:49 PM. The motion was seconded by Lois Wright and approved unanimously.

DRAFT

Staff Report – Variance

Public Hearing Date: August 21, 2025

Case: VAR-2025-10

Current Zoning: General Commercial (GC) District

Council Ward: 1

Proposed Request: Variance to reduce the rear yard setback from the required thirty (30) feet to twenty-five (25) feet, an increase in the maximum lot coverage from the required seventy percent (70%) to seventy-six percent (76%), and a reduction in the required parking from fifty-eight (58) spaces to twenty-nine (29) spaces to permit the construction of a gasoline service station with an attached restaurant suite/business space in the General Commercial (GC) District, located in Ward 1.

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Approval of variance with conditions

APPLICANT INFORMATION

Owner of Record:

Name: S&S 3959 Jonesboro Developers LLC
3953 Jonesboro Road
FOREST PARK, GA 30297

Applicant:

Robert King
350 Airport Road
Griffin, GA 30224

PROPERTY INFORMATION

Parcel Number: 13015A A012

Acreage: 0.99 +/-

Address: 3953 Jonesboro Road

FLU: Commercial

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	GC: General Commercial District	East	GC: General Commercial District
	LI: Light Industrial District and		
South	GC: General Commercial District	West	LI: Light Industrial District

SUMMARY & BACKGROUND

The subject property is a vacant, tree-covered parcel located at 3953 Jonesboro Road, within Ward 1. It is situated west of Jonesboro Road and south of Ruskin Drive and consists of approximately 0.99 +/- acres within the General Commercial (GC) District. According to Section 8-8-41 of the Zoning Code, properties in the GC District must comply with specific development standards, including rear yard setbacks, maximum lot coverage, and minimum parking requirements as outlined in Section 8-8-90 (Parking Standards).

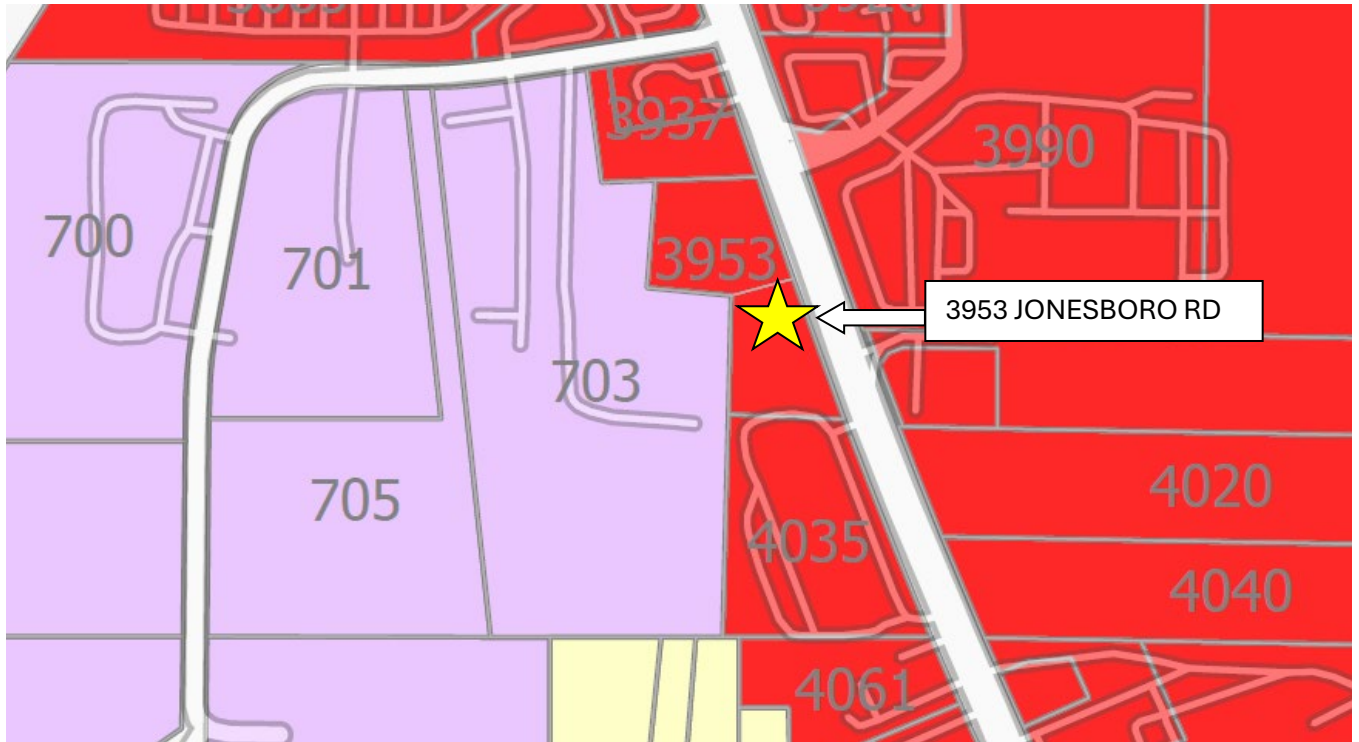
The developable area of the site is approximately 0.99 acres, with 300 feet of frontage along Jonesboro Road. The parcel's irregular shape with size dimensions of approximately 116.5 feet to the north, 210 feet to the south, and a 245-foot rear property line—creates site design challenges that impact building placement and internal traffic circulation. To accommodate a functional site layout and ensure safe vehicular movement, the applicant is requesting the following variances: a reduction in the required rear yard setback from thirty (30) feet to twenty-five (25) feet; an increase in the maximum allowable lot coverage from seventy percent (70%) to seventy-six percent (76%); and a reduction in the required number of parking spaces from fifty-eight (58) to twenty-nine (29). These variances are necessary to support the construction of a gasoline service station with an attached restaurant suite or commercial tenant space.

Staff notes that the requested variances are intended to address the physical constraints of the site while allowing a commercial development that aligns with the purpose and intent of the General Commercial (GC) District. Approval of these variances would support compatible land use within the corridor, promote reinvestment in a vacant parcel, and contribute to economic development efforts within Ward 1.

AERIAL MAP

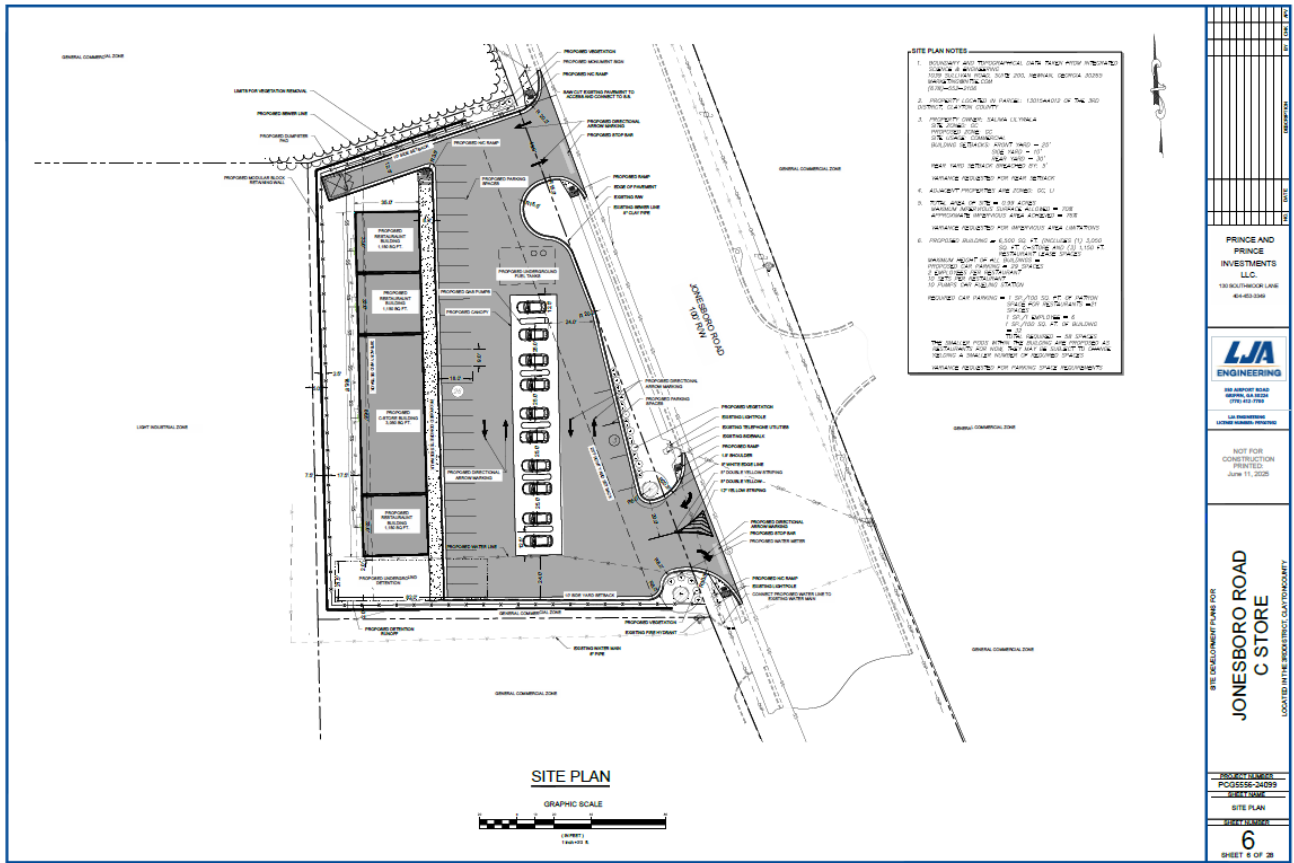


ZONING MAP





SITE PLAN





VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this chapter in permittance under this chapter, if, after a public hearing, it makes findings of facts in writing, that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community, per Sec. 8-8-193. (a) (1) of the Code of Ordinances.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner per Sec. 8-8-193. (a) (2) of the Code of Ordinances; and
3. The strict application of the terms of this ordinance will result in practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain, per Sec. 8-8-193. (a) (3) of the Code of Ordinances.

STAFF RECOMMENDATION

Staff recommends APPROVAL with conditions of the variance to reduce the rear yard setback from thirty (30) feet to twenty-five (25) feet, increase the maximum lot coverage from seventy percent (70%) to seventy-six percent (76%), and reduce the required number of parking spaces from fifty-eight (58) to twenty-nine (29) to allow for the construction of a gasoline service station with an attached restaurant suite or business space, subject to the following conditions:

1. **Site Plan Compliance:** Development shall substantially conform to the site plan submitted with the variance application, including building placement, driveway access, and circulation patterns, subject to minor modifications approved by the Planning Director to ensure compliance with zoning and development standards.
2. **Landscaping and Buffering:** The applicant shall provide enhanced landscaping along the rear property line and side boundaries, subject to review and approval by the Planning Department, to mitigate any potential visual or noise impacts on adjacent properties.
3. **Parking Management:** A shared parking or parking management plan shall be submitted and approved by the Planning Director demonstrating that the reduced number of parking spaces will adequately serve the proposed use, including strategies to minimize on-site congestion and ensure adequate circulation.
4. **Building Design and Materials:** Architectural elevations and building materials shall be reviewed and approved by the Planning Department to ensure compatibility with surrounding development and adherence to applicable design guidelines for the General Commercial District.
5. **Lighting and Security:** A site lighting plan shall be submitted and approved by the Planning Department. Lighting shall be shielded to prevent glare on adjacent properties and roadways and shall comply with local lighting standards.

6. **Use Restrictions:** The property shall be developed only as a gasoline service station with an attached restaurant or commercial tenant space as described in the variance application. Any significant change in use may require a new variance or administrative review.
7. **Urban Design Review Board (UDRB) Approval:** Prior to any consideration or approval of the gasoline service station use, the applicant shall submit architectural renderings and material samples for review and approval by City staff. The applicant must apply for and receive formal approval from the Urban Design Review Board (UDRB) for the site's overall design, building façade, landscaping, and buffer treatments. No permits shall be issued for site development or construction until UDRB approval has been obtained.
8. **All Applicable Regulations:** The applicant shall comply with all other applicable local, state, and federal regulations, including fire code, stormwater management, signage, and access requirements as determined by the relevant reviewing departments.

Attachments Included

- Justification Letter



CITY OF FOREST PARK

Item #3.

Planning & Community Development Department
785 Forest Parkway
Forest Park, Georgia 30297
(404) 366-4720

Staff Report – Conditional Use Permit

Public Hearing Date: August 21, 2025

City Council Meeting: September 01, 2025

Case: CUP-2025-04

Current Zoning: **Downtown** Single Family Residential District (RS)

Proposed Request: Applicant is requesting a Conditional Use Permit to establish and operate an assisted living facility within the Single-Family Residential District (RS) in Ward 2.

Ward District: 2

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Approval of Conditional Use

APPLICANT INFORMATION

Owner of Record:

Name: Forest Park, GA Realco, LLC

Address: 5000 GOVERNORS DR

City/State: Forest Park, GA 30297

Applicant:

Name: Seacoast at Governors Glen
(Stephen Nadeau)

Address: 2800 E Silver Springs BLVD STE 205

City/State: Ocala, FL 34470

PROPERTY INFORMATION

Parcel Number: 13051C A003B

Address: 5000 GOVERNORS DR

Acreage: 6.7 +/-

FLU: Mixed Use Office/Professional

SUMMARY & BACKGROUND

The applicant for 5000 Governors Dr is requesting a Conditional Use Permit (CUP) to establish and operate an assisted living facility on approximately 6.7+/- acre parcel. The subject property is located south of Forest Parkway, with its access terminating at the southern end of Governors Drive, a private loop road that serves the site exclusively. The site is currently developed as a licensed memory care and assisted living facility known as Governor's Glen, which includes one primary structure with supporting parking, access drives, and landscaped areas. The property is zoned within the Single-Family Residential District (RS) and is subject to a previously approved Conditional Use Permit (CUP) allowing operation of a long-term residential care facility within the RS zoning classification.

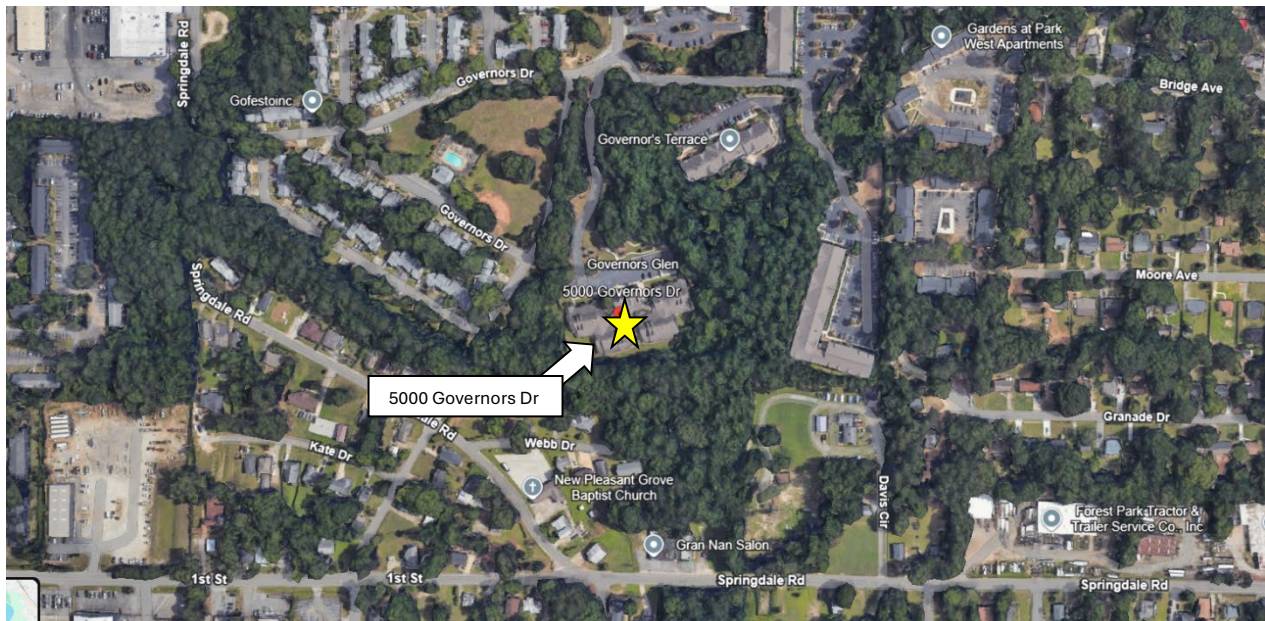
The applicant is requesting approval of a new Conditional Use Permit due to a change in ownership and business name. The proposed CUP would reflect the new ownership entity and maintain compliance with the City's land use requirements. No changes to the existing land use, building footprint, operations, or intensity of the use are proposed. The facility will continue to operate as an assisted living residence for seniors with cognitive and physical care needs.

Property Zoned General Commercial District (GC)

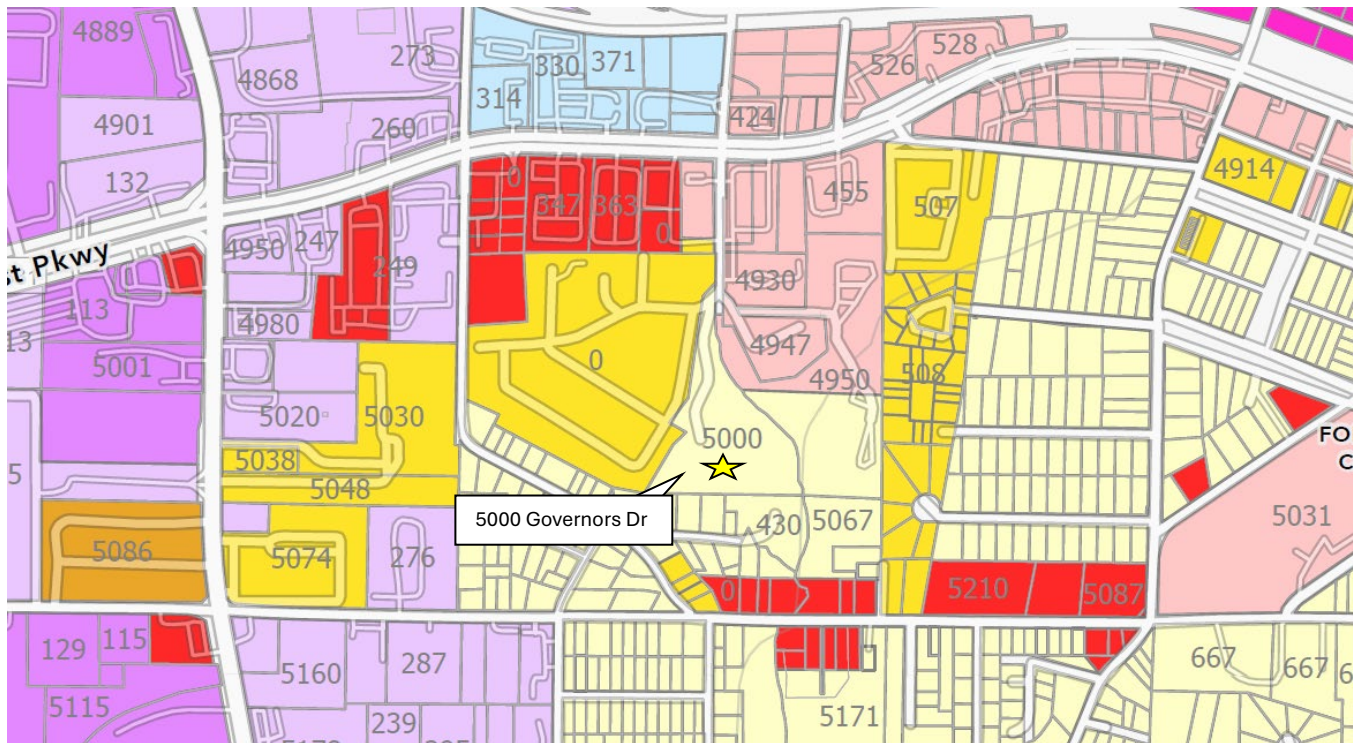
ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	RM: Multiple Family Residential District and Institutional Commercial District	East	IC: Institutional Commercial District And RS: Single-Family Residential
South	RS: Single-Family Residential	West	RM: Multiple Family Residential District

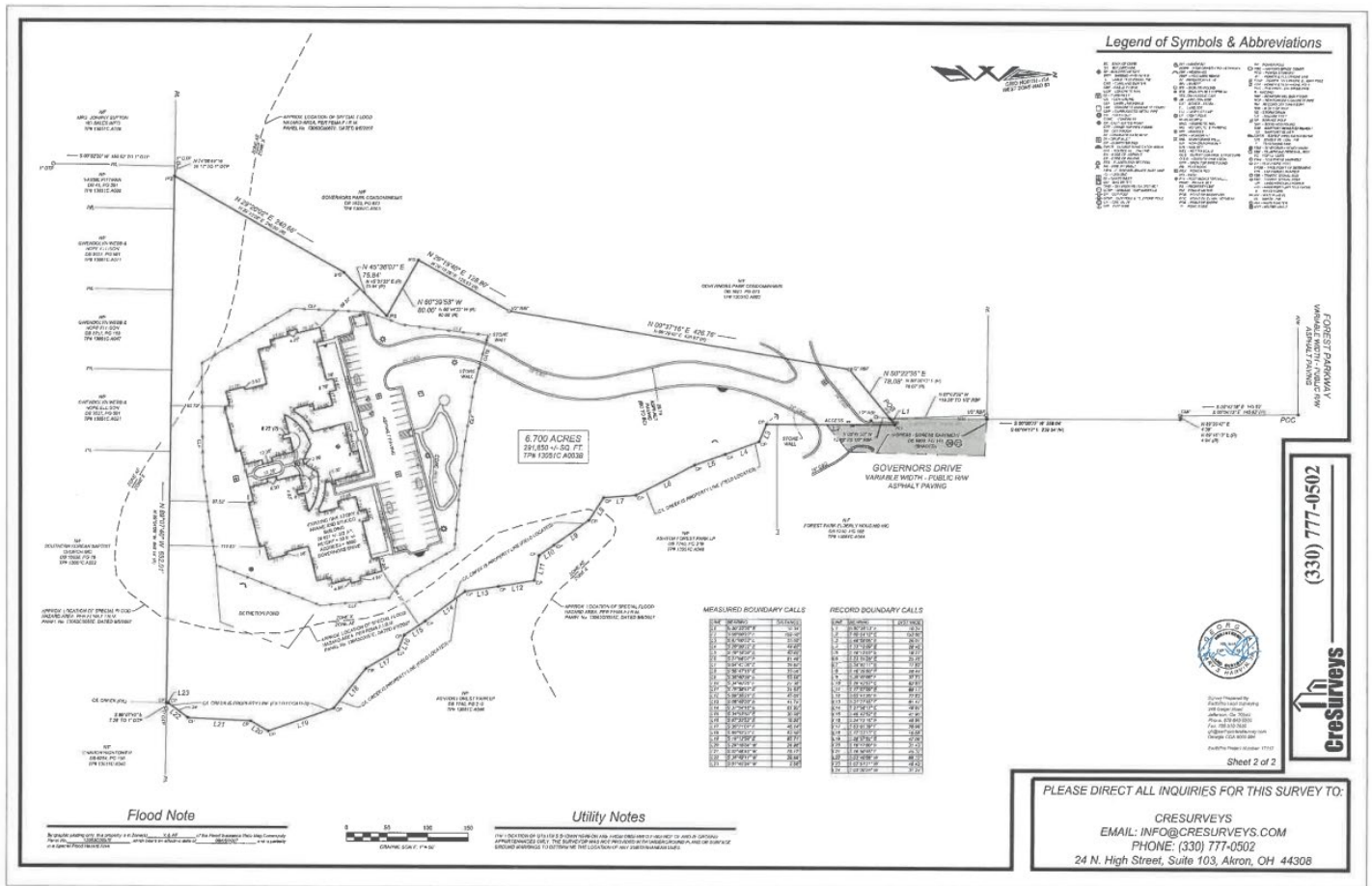
AERIAL MAP



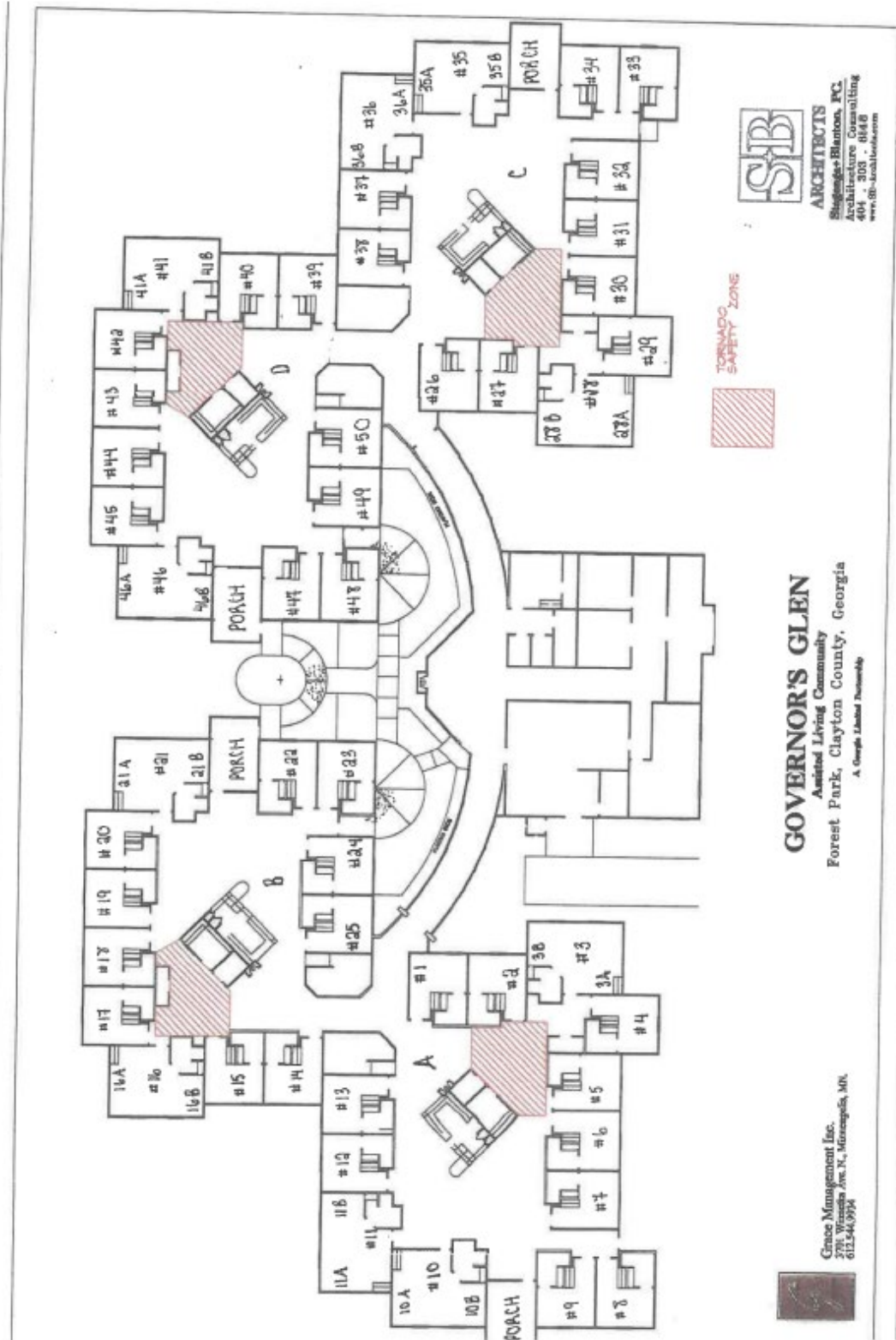
ZONING MAP



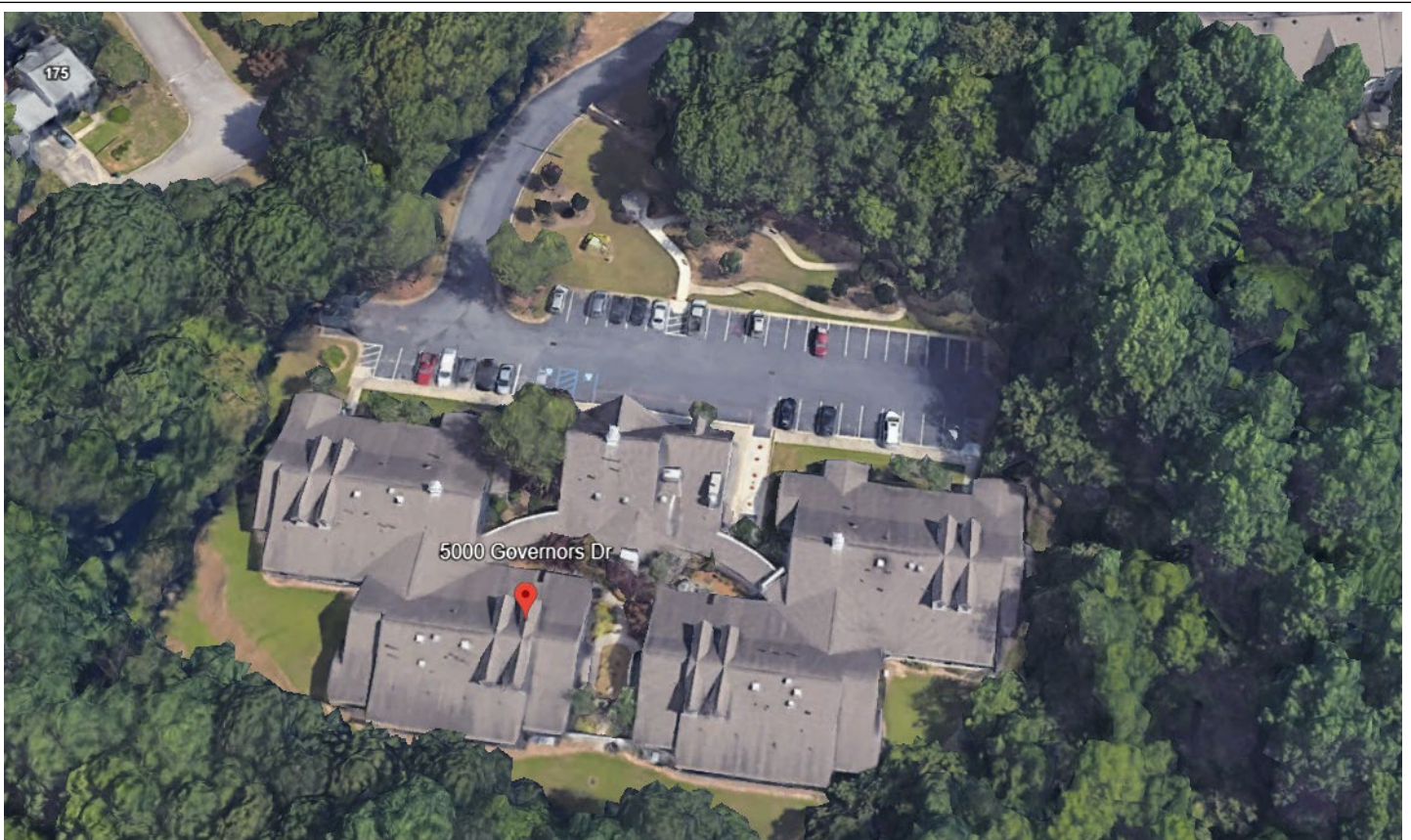
SURVEY



SITE PLAN



SITE PHOTOS



ZONING CRITERIA AND ANALYSIS

1. **Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals, and objectives?** Yes, the proposed Conditional Use Permit is consistent with the City's land use and development plans. The use remains unchanged and continues to align with the intent of the existing zoning and previously approved CUP. The amendment reflects a change in ownership only and maintains compatibility with surrounding development.
2. **Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets?** The proposed amendment is expected to have **no impact** on traffic safety or congestion. No changes are proposed to the site's operations, intensity of use, or access points, and the facility will continue to operate as it has under the existing CUP.
3. **Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers?** The proposed amendment is expected to have **no relationship** to safety from fire or other dangers. There are no changes to the building, operations, or site layout, and the facility will continue to meet all applicable safety codes and licensing requirements.
4. **Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city?** The proposed amendment would **promote** the public health and general welfare by ensuring the continued operation of a licensed assisted living facility that provides essential care services to seniors, without altering the existing use or intensity.
5. **Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air?** The proposed amendment is expected to have **no influence** on the adequacy of light and air, as no changes are proposed to the building footprint, height, or site layout.
6. **Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land?** The proposed amendment would have **no influence** on the overcrowding of land. The existing facility is appropriately scaled for the 6.7-acre site, and no expansion or intensification of use is proposed.
7. **Would the proposed amendment tend to cause, to prevent, or to have no relationship with the population distribution within the city, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the city?** The proposed amendment would have **no relationship** with population distribution within the city. It does not increase residential density or alter the use of the site, and therefore poses no adverse impact on health, safety, or general welfare related to population concentration.
8. **Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other**

public services, utilities, or facilities? The proposed amendment would have **no impact** on the provision of transportation, water, sewerage, utilities, or other public services. Existing infrastructure is already in place and sufficient to support the continued use of the facility without modification.

9. **Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties?** The proposed amendment would be compatible with environmental conditions and surrounding developments. The use remains unchanged, and the facility has operated without known negative impacts. No factors are anticipated that would diminish the value, use, or enjoyment of surrounding properties.
10. **Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?** The proposed amendment would have **no influence** on the aesthetic effect of existing or future uses of the property and surrounding area. No physical changes to the site, structures, or landscaping are proposed.
11. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?** The proposed amendment is expected to have **no measurable adverse economic effect** on the value of surrounding or adjacent properties. The use remains the same, and the facility has operated compatibly within the area without negatively impacting property values.
12. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?** No, the proposed amendment would not create an isolated district. The use is consistent with the existing Conditional Use Permit and remains integrated within the surrounding zoning and land use.

STAFF RECOMMENDATION

Staff recommends **APPROVAL OF THE CONDITIONAL USE PERMIT REQUEST** to establish and operate an assisted living facility within the Single-Family Residential District (RS) in Ward 2.

Attachments Included:

- Application
- Letter of Intent
- Authorization of Property Owner
- Floor Plan

Staff Report – Variance

Public Hearing Date: August 21, 2025

Case: VAR-2025-10

Current Zoning: Single-Family Residential District (RS)

Council Ward: 4

Proposed Request: Variance to allow an increase of the allowed maximum accessory structure square footage by 241.73 square feet. This variance is being requested to construct an 841.73 square foot accessory structure in the rear yard of the property located within the Single-Family Residential (RS) District, located in Ward 4.

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Approval of variance with conditions

APPLICANT INFORMATION

Owner of Record:

Name: Brenda Lopez

459 Cynthia Lane

FOREST PARK, GA 30297

Applicant:

Brenda Lopez

459 Cynthia Lane

Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13083C B001

Acreage: 0.320 +/-

Address: 459 Cynthia Lane

FLU: Low Density Residential

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	RS: Single-Family Residential District	East	RS: Single-Family Residential District
South	Outside of the City Limits	West	RS: Single-Family Residential District

SUMMARY & BACKGROUND

The subject property is a developed residential parcel located within Ward 4, situated in the Single-Family Residential (RS) District. The property, approximately 0.320 +/- acres in size, is located in an established neighborhood characterized by detached single-family homes. According to Section 8-8-75 of the Zoning Ordinance, accessory uses and structures must adhere to specific dimensional and design standards. Notably, subsection (5)(b) limits the combined size of accessory structures on any one lot to no more than fifty percent (50%) of the finished floor area of the primary structure.

The applicant, Brenda Lopez, is requesting a variance to exceed the allowable square footage for an accessory structure by 241.73 square feet, in order to construct (and legalize) an 841.73-square-foot structure within the rear yard. A review of the submitted site plan indicates that the finished floor area of the primary residence is 1,200.08 square feet, making the allowed accessory structure size 600.04 square feet. The variance request reflects a 40.28% increase over the permitted maximum.

It should be noted that the applicant previously initiated construction of the structure without first obtaining a building permit, resulting in the issuance of a Stop Work Order. As per standard code compliance protocol, such action typically leads to a requirement to either remove or fully modify the unpermitted structure to achieve compliance.

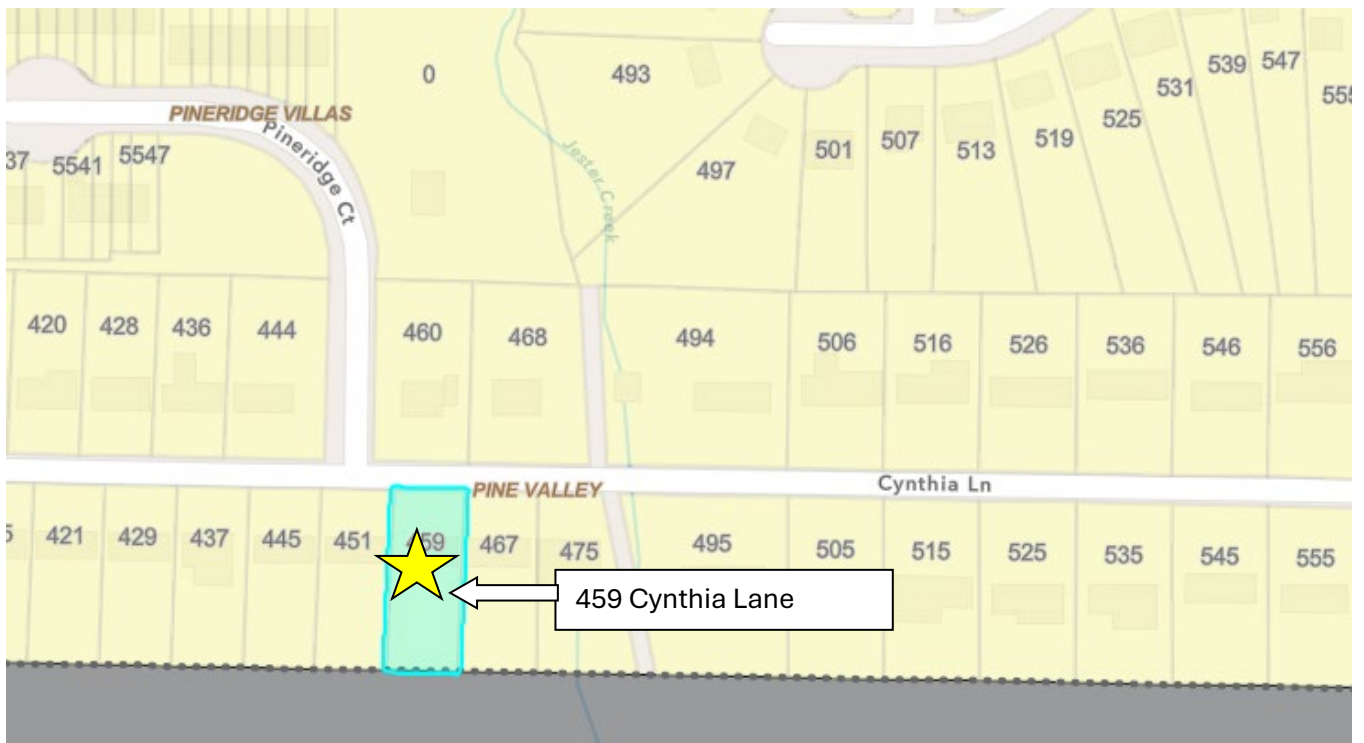
However, in this case, staff acknowledges the applicant's willingness to come into compliance and recommends a reasonable compromise that balances neighborhood compatibility with property rights. Rather than requiring full demolition of the structure, staff suggests that the applicant revise the structure to a size closer to the permitted threshold, ideally reducing the structure to approximately 700–725 square feet. This would still represent a variance, but a significantly lesser one, approximately 16.6%–20.8% over the allowable size. This may be more supportable from a policy standpoint and less disruptive to the applicant.

Staff further notes that the size of the parcel (0.320+/- acres) provides some flexibility in rear yard layout and design, and that reducing the scale of the structure could preserve the intent of the zoning code while avoiding undue hardship to the property owner.

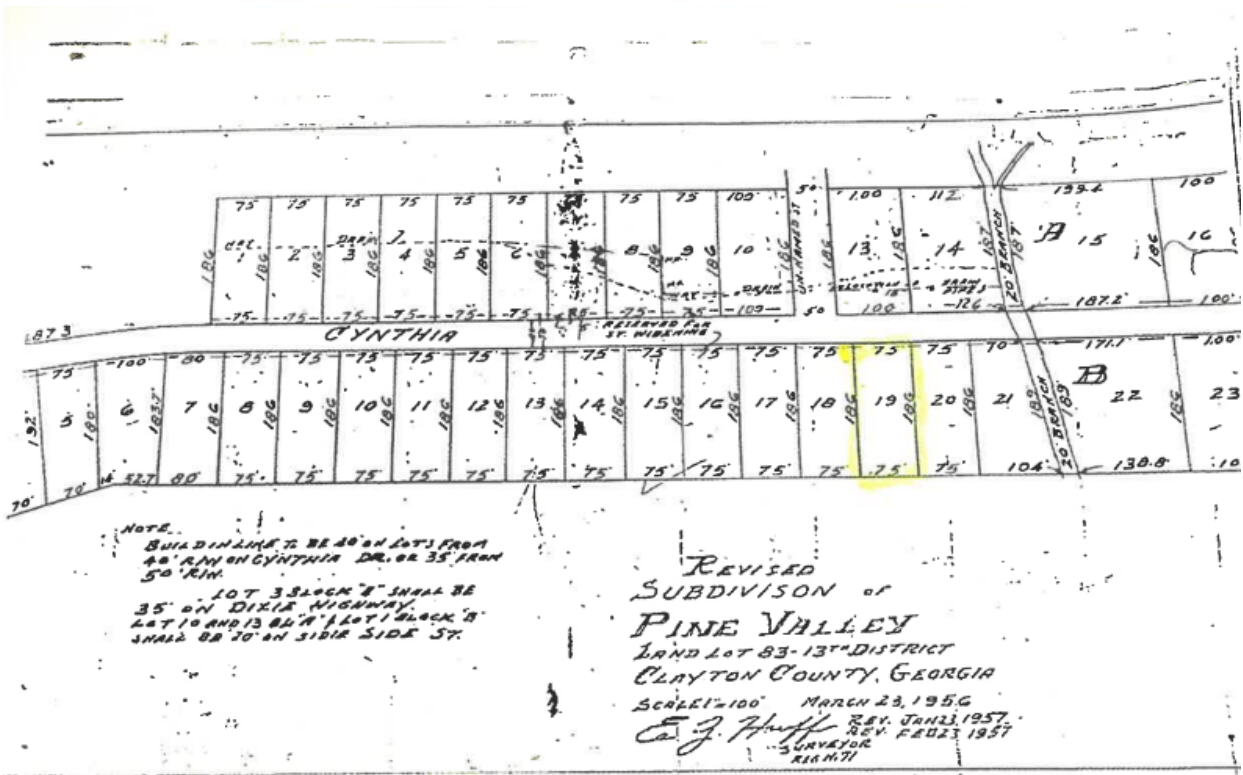
AERIAL MAP



ZONING MAP



SURVEY





SITE PHOTOS





VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this chapter in permittance under this chapter, if, after a public hearing, it makes findings of facts in writing, that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community, per Sec. 8-8-193. (a) (1) of the Code of Ordinances.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner per Sec. 8-8-193. (a) (2) of the Code of Ordinances; and
3. The strict application of the terms of this ordinance will result in practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain, per Sec. 8-8-193. (a) (3) of the Code of Ordinances.

STAFF RECOMMENDATION

Staff recommends **APPROVAL with conditions** of the variance to allow an increase of 241.73 square feet beyond the maximum allowable accessory structure size, permitting a total accessory structure area of up to **725 square feet** on the subject property located within the Single-Family Residential (RS) District in Ward 4.

This recommendation is based on a combination of site-specific factors, including the overall parcel size (0.320 +/- acres), existing development pattern, and the applicant's willingness to revise the structure to minimize noncompliance. While the constructed accessory structure currently exceeds the maximum permitted size by over 40%, the recommended reduction to 725 square feet represents a compromise that limits the variance to approximately **20.8% above the allowed threshold**. This approach upholds the intent of Section 8-8-75(5)(b) of the Zoning Ordinance, which is to prevent accessory structures from dominating residential lots, while also providing flexibility for site-specific needs.

Recommended Conditions of Approval

1. **Revised Building Plans Required**
Prior to the issuance of a building permit, the applicant shall submit revised building plans demonstrating a reduction of the accessory structure to no more than **725 square feet** in total area.
2. **Permit and Inspection Compliance**
The applicant shall obtain all necessary building permits and undergo final inspections for the modified accessory structure within **120 days** of variance approval by the Planning Commission.
3. **Design Consistency**
The modified accessory structure shall be constructed with materials, roof pitch, and design features that are visually compatible with the existing primary residence.
4. **Removal of Unpermitted Work**
Any portion of the structure that exceeds the 725-square-foot allowance must be removed in compliance with approved demolition or alteration permits prior to final inspection.
5. **No Additional Accessory Structures**
No additional accessory structures shall be permitted on the property without full compliance with Section 8-8-75(5)(b) of the Zoning Code, unless otherwise approved through a separate variance process.

Attachments Included

- Justification Letter

STAFF REPORT
Planning Commission Meeting: May 16, 2024
City Council Meeting: June 3, 2024

Case: RZ-2025-02

Current Zoning: RS- Single Family Residential

Proposed Request: Rezone property from Multiple-Family Residential District (RM) to General Commercial District (GC) to allow the development of a unified parking area supporting future business operations in Ward 2.

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Partial Approval of Rezoning Request.

APPLICANT INFORMATION

Owner of Record: Yaritza Hernandez

Applicant: Yaritza Hernandez

Address: 486 Main St

Address: 486 Main St

City/State: Forest Park, GA 30297

City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13080A E005, 13051A A004, and 13051A A006

Acreage: 1.23 +/-

Address: 486 Main Street
0 Burks Rd

FLU: Commercial
Medium Density Residential

SUMMARY & BACKGROUND

The subject property consists of three vacant parcels totaling approximately 1.23± acres in Ward 2. The primary parcel is located at 486 Main Street, occupying the southwest corner of Main Street and Burks Road. The two additional vacant parcels are situated immediately behind the proposed parcel to the west of the existing commercial structure, occupying the northwest portion of the block formed by Burks Road and North Avenue.

Currently, the corner parcel fronting Main Street is zoned Multiple-Family Residential District (RM) and is adjacent to existing multifamily residential development to the west. The two interior parcels along Burks Road are zoned Two-Family Residential District (RT) and are surrounded by a mix of townhomes and single-family residences.

The applicant is requesting a rezoning of all three parcels from residential to commercial to support the development of a unified off-street parking area in preparation for relocating future commercial operations to the site. While County records classify one of the parcels as commercial, it remains zoned residential under current City zoning and thus requires formal rezoning to allow for commercial use. The intent is to consolidate the parcels into a single, functional parking area that will meet City code requirements for future business use, including provisions for customer access, staff parking, and delivery logistics.

As part of their proposal, the applicant has engaged a licensed architect to ensure compliance with City standards related to grading, access, stormwater management, landscaping, and buffer requirements, and has expressed commitment to maintaining compatibility with the surrounding residential context.

After careful staff analysis, it is recommended that only the RM-zoned corner parcel fronting Main Street be approved for rezoning to a commercial district. This recommendation is based on its strategic location at the intersection of two roads, its adjacency to a commercially trending corridor, and its suitability for accommodating commercial land use without disrupting the established residential character of the interior lots. Retaining the RT zoning for the two rear parcels will provide a necessary transition and buffer, preventing commercial encroachment into the residential core of the neighborhood and preserving land use compatibility along Burks Road.

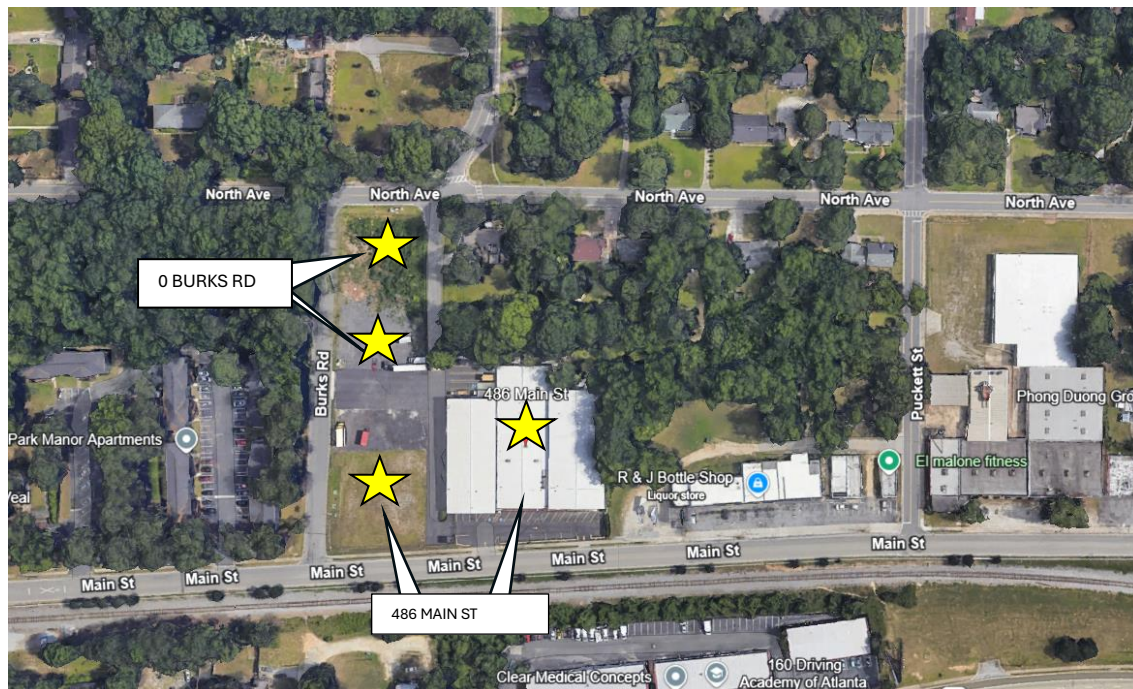
This approach balances the applicant's operational needs with the City's broader planning goals by facilitating appropriate commercial activity along Main Street, while protecting the residential scale and fabric of the surrounding community.

Should the request be approved, the applicant will be able to move forward with developing a compliant parking area on the front lot to support future commercial operations, while preserving residential integrity at the rear of the site.

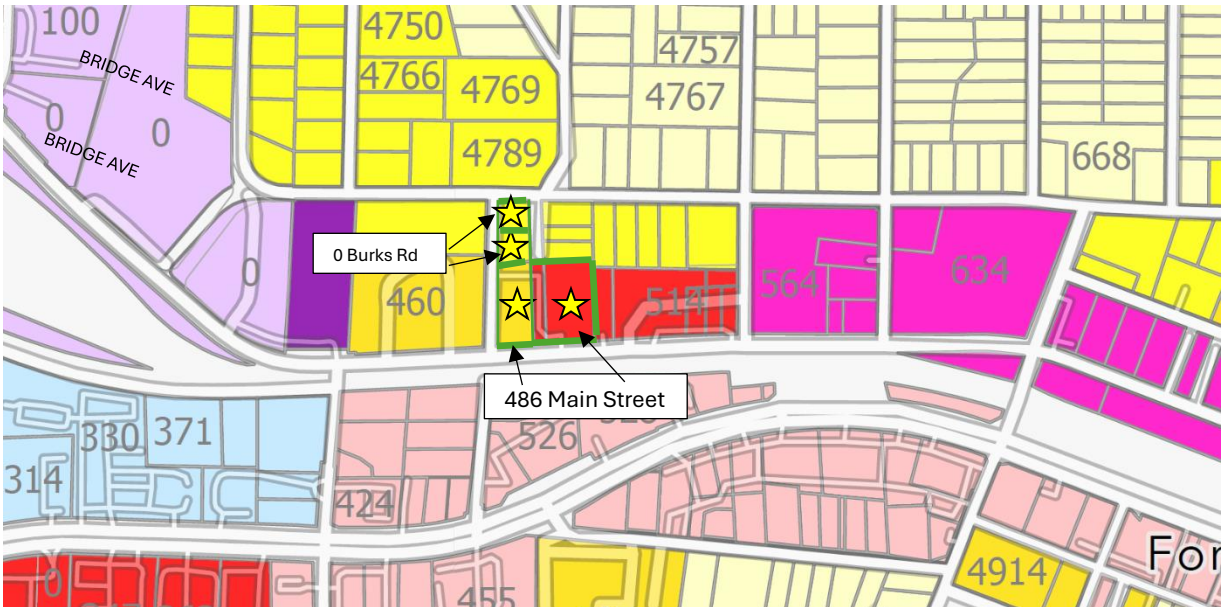
ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES

North	RT (Two-Family Residential District)	East	GC (General Commercial District)
South	IC (Institutional Commercial District)	West	RM (Multiple-Family Residential)

AERIAL MAP

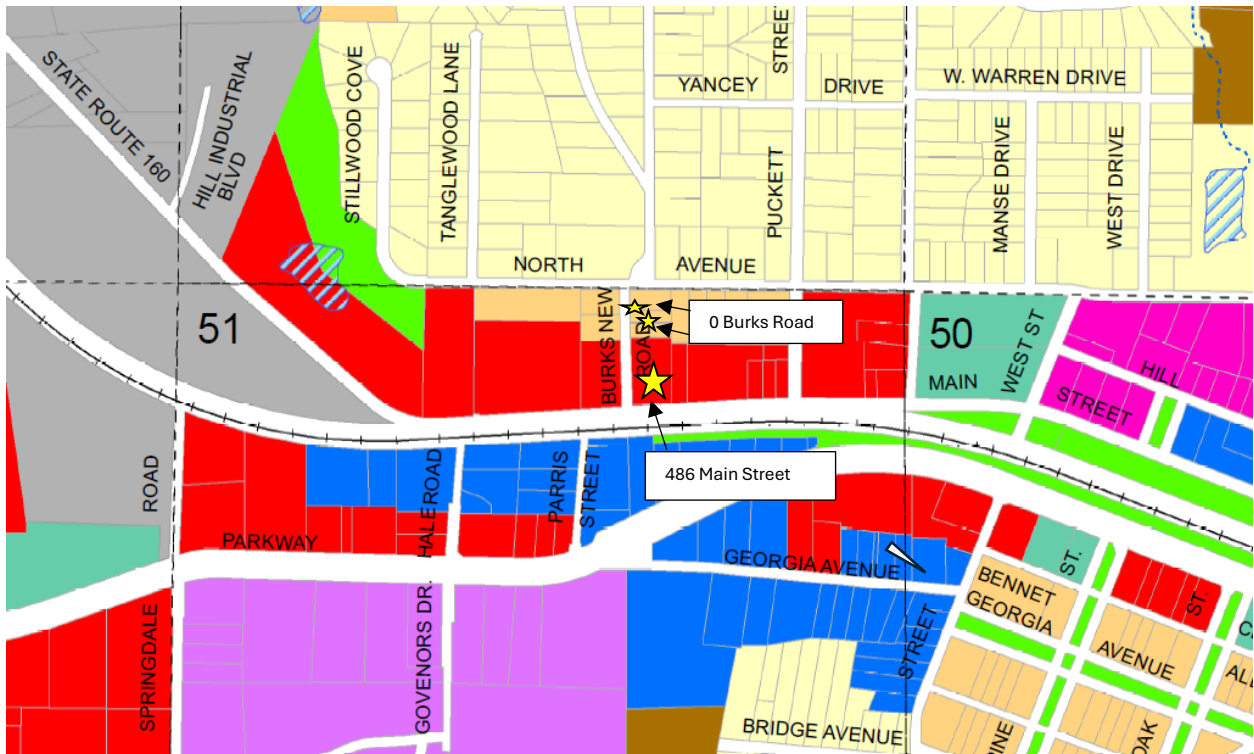


ZONING MAP



Current Zoning: RS (Single-Family Residential)

FUTURE LAND USE MAP



Future Land Use: Commercial and Medium Density Residential

SITE PHOTOS



486 Main Street. Vacant Parcel on the Corner of Main Street and Burks Rd.



Vacant parcel



Northwest Corner of Burks Rd and North Avenue



Rear of site

SURROUNDING PROPERTIES



Residential: Zoned RM (Multiple-Family Residential District)
(West of Parcel)



**Residential: Zoned RT (Two-Family Residential District)
(West of Parcel)**



**Commercial: Zoned GC (General Commercial District)
(East of Parcel)**

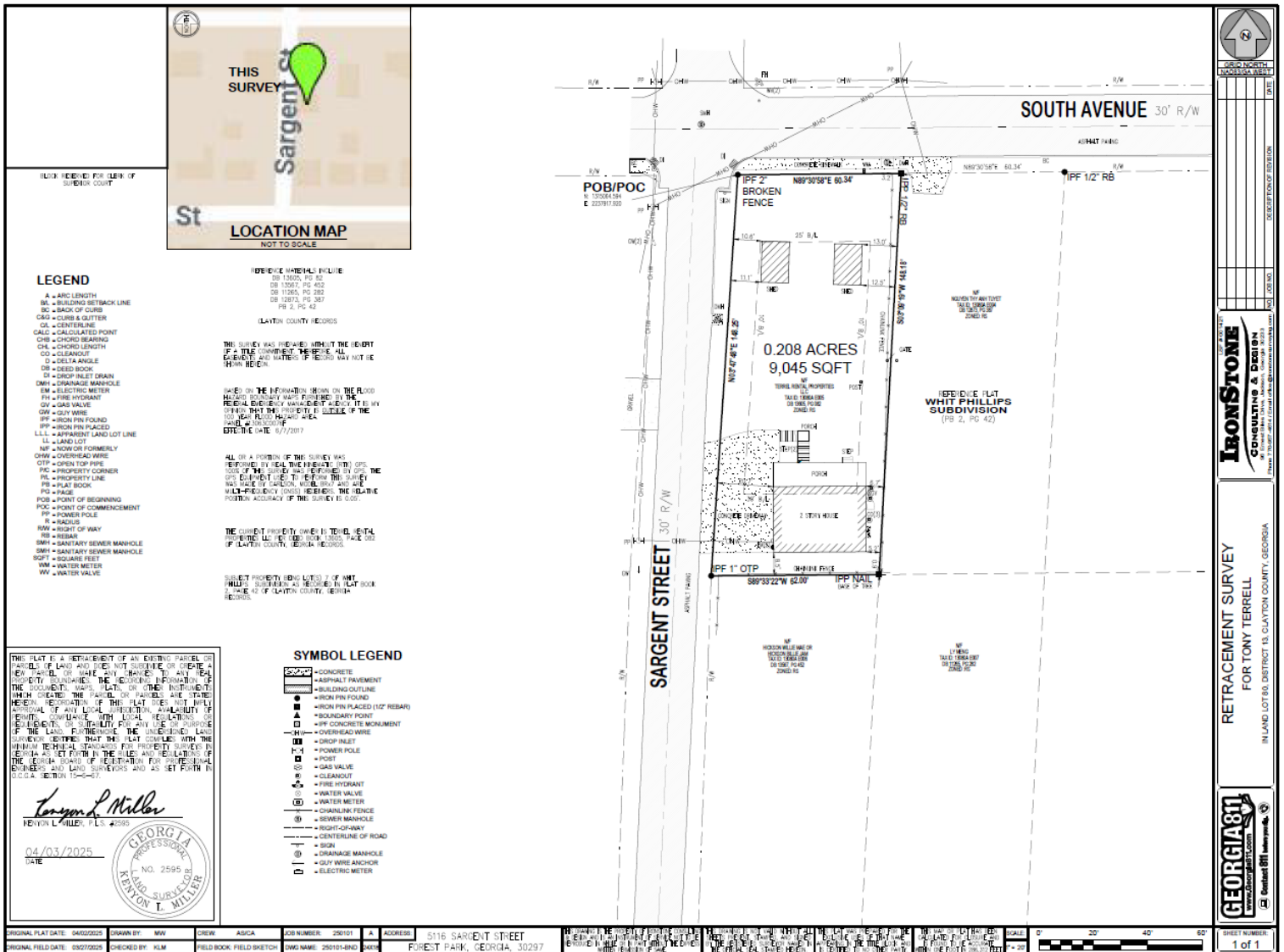


**Railroad and Commercial: Zoned IC (Institutional Commercial District)
(South of Parcel)**



**Residential: Zoned RT (Two-Family Residential)
(North of Parcel)**

BOUNDARY SURVEY



SITE PLAN



SITE

AOOI

Impact Summary

Would the proposed amendment be consistent and compatible with the city's land use and development, plans, goals, and objectives? ☒ **Yes** ☐ **No** *Yes, the proposed amendment is consistent with the City's land use plans and goals. Rezoning only the corner lot supports commercial use along Main Street while preserving residential character behind it, aligning with the City's objective for balanced, context-sensitive development.*

Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets? ☐ **Increase** ☐ **Decrease** ☒ **No Impact** *The proposed amendment is expected to have minimal impact on traffic safety and congestion. Limiting the rezoning to the corner lot allows for controlled commercial use along Main Street, a corridor better suited to handle increased activity. The applicant's plan to develop a dedicated, code-compliant parking area in advance of operations will help manage vehicle circulation, reduce on-street parking, and minimize potential congestion.*

Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers? ☐ **Increase** ☐ **Decrease** ☒ **No Relationship** *The proposed amendment is expected to have no negative impact on safety from fire or other dangers. Any future development on the rezoned parcel will be required to meet all applicable fire codes, building standards, and safety regulations. The applicant is working with a licensed architect to ensure compliance, which supports safe site design and emergency access.*

Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city? ☒ **Promote** ☐ **Diminish** ☐ **No Influence** *The proposed amendment is expected to promote the public health and general welfare of the city. By supporting appropriately scaled commercial use along Main Street and preserving residential zoning in the rear, the amendment encourages orderly development, reduces potential land use conflicts, and ensures that future business operations can provide adequate parking and infrastructure—contributing to a safer, more functional environment for residents and visitors.*

Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air? ☐ **Promote** ☐ **Diminish** ☒ **No Influence** *Rezoning is limited to the corner lot along Main Street, which is adjacent to commercial and multifamily uses, while the rear residential parcels remain unchanged. This preserves the existing residential character and spacing that ensures adequate light and air for surrounding properties.*

Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land? ☐ **Cause** ☐ **Prevent** ☒ **No Influence** *The proposed amendment is expected to have no influence on the overcrowding of land. The rezoning is limited to the corner parcel and will facilitate organized commercial development with adequate parking, rather than increasing density or overloading the site. The surrounding residential parcels remain unchanged, maintaining existing land use patterns.*

Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the city, thus creating any area as dense in population as to adversely affect the health, safety, and general welfare of the city? ☐ **Cause** ☐ **Prevent** ☒ **No Influence** *The proposed amendment is expected to have no relationship to population distribution or density. The rezoning focuses on commercial use of a corner lot and does not involve residential development changes that would significantly affect population patterns or density in the area. Therefore, it will not impact the city's health, safety, or general welfare related to population concentration.*

Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities, or facilities?

☐ **Impede** ☒ **Facilitate** ☐ **No Impact.** *The proposed amendment is expected to facilitate the adequate provision of transportation, water, sewerage, and other public services. By allowing a planned commercial use with a dedicated parking area, the amendment supports organized development that meets City infrastructure standards. The applicant's commitment to working with licensed professionals ensures compliance with all necessary public service and utility requirements, promoting efficient and sustainable service provision.*

Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties? ☒ **Yes** ☐ **No** *The proposed amendment is compatible with the surrounding environmental conditions and development patterns. Rezoning is limited to the corner lot along a busy corridor, which is already transitioning toward commercial use. The preservation of residential zoning on the rear parcels helps maintain neighborhood character and buffers. The applicant's plans for stormwater management, landscaping, and buffering will further minimize any potential negative impacts. Factors that could diminish the value or enjoyment of surrounding properties are expected to be minimal due to thoughtful site design and adherence to City standards. Continued monitoring of landscaping and buffer effectiveness is recommended to ensure ongoing compatibility.*

Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?

☒ **Promote** ☐ **Diminish** ☐ **No Influence** *The proposed amendment is expected to promote the aesthetic quality of the property and surrounding area. By concentrating commercial use on the corner lot along Main Street, where such development is appropriate, and preserving residential zoning in the rear, the amendment encourages a well-planned transition in land use. The applicant's commitment to landscaping, buffer zones, and compliance with design standards will enhance the visual appeal and maintain neighborhood character.*

Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property? ☐ **Yes** ☒ **No** *The proposed amendment to rezone the property from RM (Multiple-Family Residential) to GC (General Commercial) is not expected to have a measurable adverse economic effect on the value of surrounding or adjacent properties. The rezoning is focused on a corner lot already suited for commercial use, and the preservation of residential zoning on the rear parcels helps protect the character and stability of the neighborhood. Thoughtful site design, buffering, and compliance with City standards will help maintain property values and neighborhood desirability.*

Would the proposed amendment create an isolated district, unrelated to adjacent and nearby districts?

☐ **Yes** ☒ **No** *No, the proposed amendment would not create an isolated district. Rezoning the corner parcel to commercial use aligns with existing commercial and multifamily uses along Main Street, creating a logical extension of the commercial corridor. The retention of residential zoning on the adjacent rear parcels maintains a cohesive transition to surrounding residential neighborhoods, ensuring land use compatibility.*

Staff Review

Public Works, Police, and Fire departments did not conduct formal reviews for this rezoning request, as no site development or building plans have been submitted at this stage. Additional departmental reviews will be required during the site plan and permitting process.

Planning & Community Development Department

Planning Staff has conducted a full review of the rezoning request and supports the recommendation to rezone only the corner parcel fronting Main Street. This recommendation is based on land use compatibility, existing zoning patterns, and alignment with the City's development goals. The remaining

parcels should retain residential zoning to preserve neighborhood character and provide an appropriate buffer between commercial and residential uses.

Staff Recommendation

Staff recommends **APPROVAL** of the rezoning request for the corner parcel located at 486 Main Street (Parcel #13080A E005) from Multiple-Family Residential District (RM) to General Commercial District (GC), with the condition that the two rear parcels (Parcel #13051A A004 and #13051A A006) remain zoned Two-Family Residential (RT).

This recommendation is based on a detailed review of existing land use patterns, zoning compatibility, infrastructure capacity, and the City's long-range development goals. The subject corner lot fronts Main Street, a corridor that exhibits a mix of residential, institutional, and commercial uses, and is generally appropriate for limited commercial activity. The lot's location at a signalized intersection provides suitable access and visibility for commercial use without burdening the surrounding residential streets. Rezoning only the front-facing parcel strikes a balance between accommodating the applicant's stated intent, to develop a code-compliant parking area supporting future commercial operations and maintaining the integrity of the adjacent residential neighborhood. Staff finds that this approach creates a logical land use transition and avoids the potential for commercial encroachment deeper into the block, which could disrupt established residential patterns and diminish neighborhood character.

The following **conditions** shall apply:

1. **Limit of Rezoning:** Only the parcel at 486 Main Street (Parcel #13080A E005) shall be rezoned. The two rear parcels (Parcel #13051A A004 and #13051A A006) shall remain zoned RT.
2. **Site Plan Review:** Prior to any construction or use of the site for commercial purposes, the applicant shall submit a full site plan for review and approval by the Planning Department and applicable City departments. The site plan must address:
 - Parking layout and access points.
 - Landscaping and buffer requirements.
 - Stormwater management.
 - Compliance with all applicable zoning and development standards.
3. **Buffering:** A landscape buffer, as required by the City's zoning ordinance, shall be provided along the western and northern edges of the commercial parcel to mitigate visual and noise impacts on adjacent residential properties.
4. **Use Restrictions:** The commercial zoning shall be limited to uses that are compatible with neighborhood-scale development, as determined by the final zoning designation and subject to Planning Commission review and Final approval by Mayor & Council, if applicable.

Staff finds that this conditional approval facilitates the applicant's operational needs, supports orderly development along a transitioning corridor, and preserves the residential quality of the neighborhood interior. The recommendation aligns with sound planning principles and the City's broader goals for sustainable, context-sensitive growth.