



**CITY OF FOREST PARK
PLANNING COMMISSION MEETING**

Thursday, November 16, 2023 at 6:00 PM
Environmental Courtroom- Planning & Community Development Building

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

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

AGENDA

Andy Porter, Chairman
Azfar Haque, Vice Chairman
Michael Clinkscales, Member
Roderick Jackson, Member
Donald Williams, Member

CALL TO ORDER/WELCOME:

ROLL CALL:

APPROVAL OF MINUTES:

1. Approval of October 19, 2023 Meeting Minutes

OLD BUSINESS:

NEW BUSINESS:

2. Case# VAR-2023-14 - Variance for 0 Scott Rd., Parcel# 13015C A006, Forest Park, Georgia.
3. Case# TA-2023-05 - Text Amendment of Article B: Zoning Districts, Overlay Districts, and Design Guidelines within the City of Forest Park Code of Ordinances.
4. Case# TA-2023-06 - Text Amendment of Article C. Development and Use Standards. Section. 8-8-73 Lot/Yard Standards.

ADJOURNMENT:



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MINUTES

Andy Porter, Chairman
Azfar Haque, Vice Chairman
Michael Clinkscales, Member
Roderick Jackson, Member
Donald Williams, Member

CALL TO ORDER/WELCOME:

Chairman Andy Porter called the meeting to order at 6:03pm.

ROLL CALL:

A quorum was established.

Present:

Andy Porter

Azfar Haque

Michael Clinkscales

Absent:

Roderick Jackson

Donald Williams

Others Present:

LaShawn Gardiner, Planning & Community Development Director

SaVaughn Irons, Principal Planner

Latonya Turner, Planning & Community Development Administrative Supervisor

APPROVAL OF MINUTES:

1. Approval of September 21, 2023 Meeting Minutes

It was motioned to approve the September 21, 2023 Meeting Minutes.

Motion made by Azfar Haque and Seconded by Michael Clinkscales. Motion approved.

2. Approval of October 3, 2023 Meeting Minutes

It was motioned to approve the October 3, 2023 Meeting Minutes.

Motion made by Azfar Haque and Seconded by Michael Clinkscales. Motion approved.

OLD BUSINESS:

NEW BUSINESS:

3. **Case# VAR-2023-13 - Variances for 0 Scott Rd. to 733 Scott Rd., Parcel# 13015C A009, Parcel# 13015C A003, and Parcel# 13015C A002 Forest Park, Georgia.**

Background/History:

The subject property is three (3) parcels located on three (3) vacant undeveloped lots, located at 0 Scott Rd. on approximately 1.29 +/- acres, Scott Rd. on approximately 0.37 +/- acres, and 733 Scott Rd. on approximately 0.23 +/- acres. The combined acreage of the three lots is approximately 1.9 +/- acres. The applicant, Divine Dream Homes Atl, LLC, is requesting a variance to decrease the minimum lot area from 8,200 sq ft to 4,000 sq ft, decrease the minimum lot width from 80 ft to 50 ft, decrease the rear yard setback from 30 ft to 20 ft, decrease the front yard setback from 25 ft to 15 feet and decrease the side yard setback from 10 ft to 7.5 ft to build 10 new construction single family homes. Per section 8-8-29 Single Family Residential district (RS) Standards, the city should promote an average density of five (5) dwelling units per acre. The required minimum lot area is 8,200 sq ft, the required minimum lot width is 80 ft, the minimum front yard setback is 25 feet, the required rear side yard setback is 10 ft, and the required rear yard setback is 30 feet. The proposed development will feature modern homes with three bedrooms, 2.5 bathrooms, and two car garages with a square footage of 1400 to 1600 square feet per home. Each dwelling unit will have hardwood floors, a fireplace and a kitchen that features a butler's pantry as well as a private deck. This variance will allow the applicant to construct ten (10) new homes within the Single-Family Residential District, target home ownership and provide added value to the existing community.

SaVaughn Irons, Principal Planner - noted that staff recommends to allow a decrease in the minimum lot area from 8,200 sq ft to 4,000 sq ft, decrease the minimum lot width from 80 ft to 50 ft, decrease the rear yard setback from 30 ft to 20 ft, decrease the front yard setback from 25 ft to 15 ft, and decrease the side yard setback from 10 ft to 7.5 ft to build 10 new construction single family homes because the requested variance will not be injurious to the public health, safety, morals, and general welfare of the community, and the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

PUBLIC COMMENTS: (All Speakers will have 5 Minutes)

Lorenzo Kendrick – stated that this request was made because the prior request for construction of multi-family homes was denied. He noted that the neighbors of Scott Rd had previously voiced their desire for the construction of single-family homes only. Mr. Kendrick says that this project will increase property values and tax revenue for the city. He states the acreage is the exact amount required for the construction of 10 homes and that incentives will be offered to city employees.

Frank Holtzclaw – noted that his family has owned this property since 1941 or 1942. He stated that the road is about 500 ft long with a liquor store located on the corner of Jonesboro Rd and Scott Rd with a bus stop and a flea market across the street making it a dangerous intersection. Mr. Holtzclaw

says that there are about 2 cars per home currently and that this will cause close to 30 more cars being on this road and make it hard to get in and out. It says it would be too many houses in this one spot.

Lorenzo Kendrick – in rebuttal, noted that the neighborhood is in-line with the city's Comprehensive Plan for 2024.

Michael Clinkscales, Member – asked Mr. Holtzclaw if he had reviewed the plans for this project.

Frank Holtzclaw – replied no and stated that he received a letter in the mail notifying him of the hearing, but that when he came to the office of Planning & Community Development to inquire about a sign on the property notifying residents of the hearing he was told that the picture was all he needed to know.

Andy Porter, Chairman – asked if either the applicant or staff had addressed concerns raised by the fire department about Scott Rd being able to handle fire safety equipment.

SaVaughn Irons – noted the applicant hasn't moved forward with any of the promised upgrades of the road because they are waiting to see if they are going to be able to move forward with the project. She says the issue previously was density and the number of homes that were going to be built. Mrs. Irons stated that Mr. Holtzclaw and other residents had previously stated that they would be for single family homes versus the higher density. She noted that the city's code allows for 10 homes in that area based on the acreage.

Lorenzo Kendrick – noted that they will be doing their roads and that there are already fire hydrants and sewer lines there. He says that all the homes will be for sale and not leased and that the homes will start at \$350,000.

Azfar Haque, Vice Chairman – stated that from his prospective this project will be good for the community because the population is growing, and this will increase revenue for the city.

Frank Holtzclaw – stated that he is not trying to change the zoning, but he doesn't want more homes packed into the area that needs to go there.

SaVaughn Irons – stated that the city's code only allows 5 homes per acre in any single-family residential district within the city.

Frank Holtzclaw – asked why the variance is necessary if the acreage meets requirements.

SaVaughn Irons – stated that based on the lot coverage and the current standards of modern homes being built on smaller lot widths. She says the project is still in line with the total area of the minimum square footage of the house which is 1,400 sq ft. She noted the reason for the variance request is for the applicant to be able to build the most current modern homes.

Frank Holtzclaw – asked why his neighbors had not received hearing notices.

SaVaughn Irons – stated that the hearing was advertised in the newspaper per zoning procedure laws.

LaShawn Gardiner, Director – noted that notices are sent out and information is published in the paper to provide information to residents who would be impacted by the project.

Frank Holtzclaw – stated that his neighbors did not receive notice of the hearing.

It was motioned to approve the variances. Motion made by Azfar Haque and Seconded by Michael Clinkscales. Motion approved.

ADJOURNMENT:

It was motioned to adjourn the meeting at 6:31pm.

Motion made by Michael Clinkscales and Seconded by Azfar Haque. Motion approved.



CITY OF FOREST PARK

Item #2.

Planning & Community Development Department
 785 Forest Parkway
 Forest Park, Georgia 30297
 (404) 608-2300 Fax: (404) 608-2306

Staff Report – Variance

Public Hearing Date: November 16, 2023

Case: VAR-2023-14

Current Zoning: RS – Single Family Residential District

Proposed Request: Variance Request to decrease the minimum lot area from 8,200 sq ft to 6,000 sq ft, decrease the minimum lot width from 80 ft to 50 ft, decrease the rear yard setback from 30 ft to 20 ft, decrease the front yard setback from 25 ft to 15 feet and decrease the side yard setback from 10 ft to 7.5 ft to build 9 new construction single family homes.

Staff Report Compiled By: SaVaughn Irons, City Planner

Staff Recommendation: Approval of Variance with Conditions

APPLICANT INFORMATION

Owner of Record:	Applicant:
Name: Divine Dream Homes ATL, LLC	Divine Dream Homes ATL, LLC
0 Scott Rd.	0 Scott Rd.
Forest Park, GA 30297	Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13015C A006,	Acreage: 1.6 +/-
Address: 0 Scott Rd., Forest Park, GA 30297	FLU: Industrial

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	LI: Light Industrial District	East	RS: Single Family Residential District
South	RS: Single Family Residential District	West	LI: Light Industrial District

SUMMARY & BACKGROUND

The subject property is one (1) parcel located on one (1) vacant undeveloped lot, located at 0 Scott Rd. on approximately 1.6 +/- acres. The applicant, Divine Dream Homes Atl, LLC, is requesting a variance to decrease the minimum lot area from 8,200 sq ft to 6,000 sq ft, decrease the minim lot width from 80 ft to 50 ft, decrease the rear yard setback from 30 ft to 20 ft, decrease the front yard setback from 25 ft to 15 feet, as well as decrease the side yard setback from 10 ft to 7.5 ft. The purpose of this variance is to build 9 new construction single family homes. Per section 8-8-29 Single Family Residential district (RS) Standards, the city should promote an average density of five (5) dwelling units per acre. The required minimum lot area is 8,200 sq ft, the required minim lot width is 80 ft, the minimum front yard setback is 25 feet, the required rear side yard setback is 10 ft, and the required rear yard setback is 30 feet.

The proposed development will feature modern farmhouse styled homes with three (3) and four (4) bedrooms, 2.5 bathrooms, with two car garages and include a square footage of 1750 to 2100 square feet per home. Each dwelling unit will have hardwood floors, a kitchen that features a butler’s pantry as well as a mixture of indoor and outdoor living space with a private patio. This variance will allow the applicant to construct nine (9) new homes within the Single-Family Residential District, target home ownership and provide added value to the existing community.

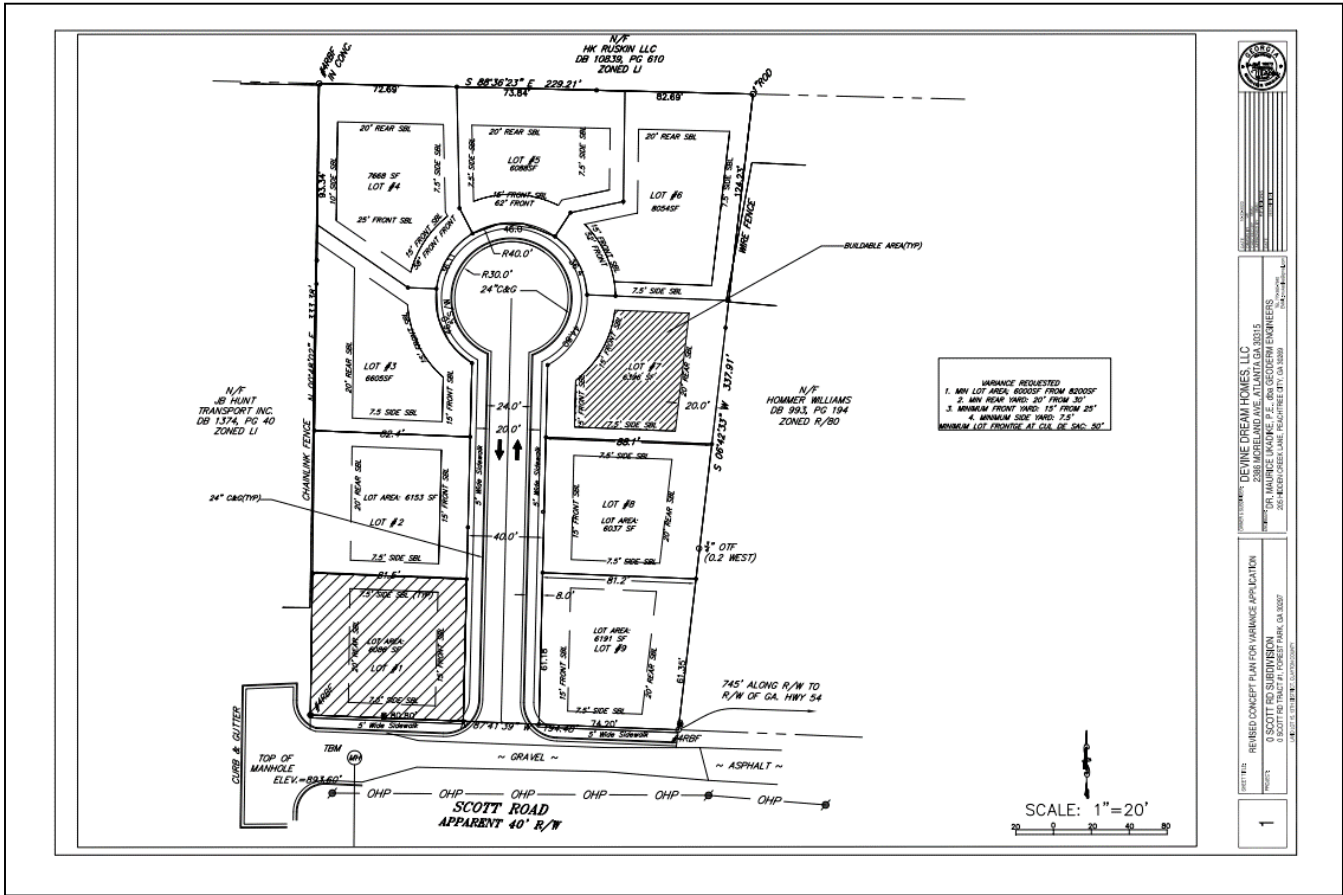
AERIAL MAP



ZONING MAP



SITE PLAN





FRONT ELEVATION

1ST FLOOR

2ND FLOOR

3RD FLOOR

DEVINEDREAM HOMES ATL LLC
0 SCOTT RC FOREST PARK GA
30287
CANTLEVER ARCHITECTURAL
100 HARTSFIELD CTR PKWY
#500 ATLANTA, GA. 30354

A0

PROPOSED
SCALE: 1/4" = 1'

"Oranges"
MM-1759

MARK STEWART HOME DESIGN

Patio 11/0 x 7/0

Dining 8/10 x 12/6

Great Room 16/3 x 18/2

Kitchen 12/10 x 9/0

Primary Bedroom 13/9 x 12/8

Bed #2 9/11 x 10/0

Bed #3 10/0 x 14/6

Bed #4 11/3 x 12/0

2 Car Garage 17/0 x 23/0

Cvd Porch

Main Floor 687 sq. ft.
Upper Floor 1,072 sq. ft.
Total 1,759 Sq. ft.

"Oranges"
MM-1759

Main - 687 Sq. Ft.
Upper - 1,072 Sq. Ft.
Total - 1,759 Sq. Ft.
Mark Stewart Home Design

"Point A"
MM-1871-A

MARK STEWART HOME DESIGN

Patio

Master Suite 12/0x15/4

Bed #2 11/0x10/0

Bed #3 11/2x10/0

Bonus 11/0x9/4

Dining Rm 11/0x10/0

Great Rm 18/0x19/0

Kitchen

Garage 18/0x19/8

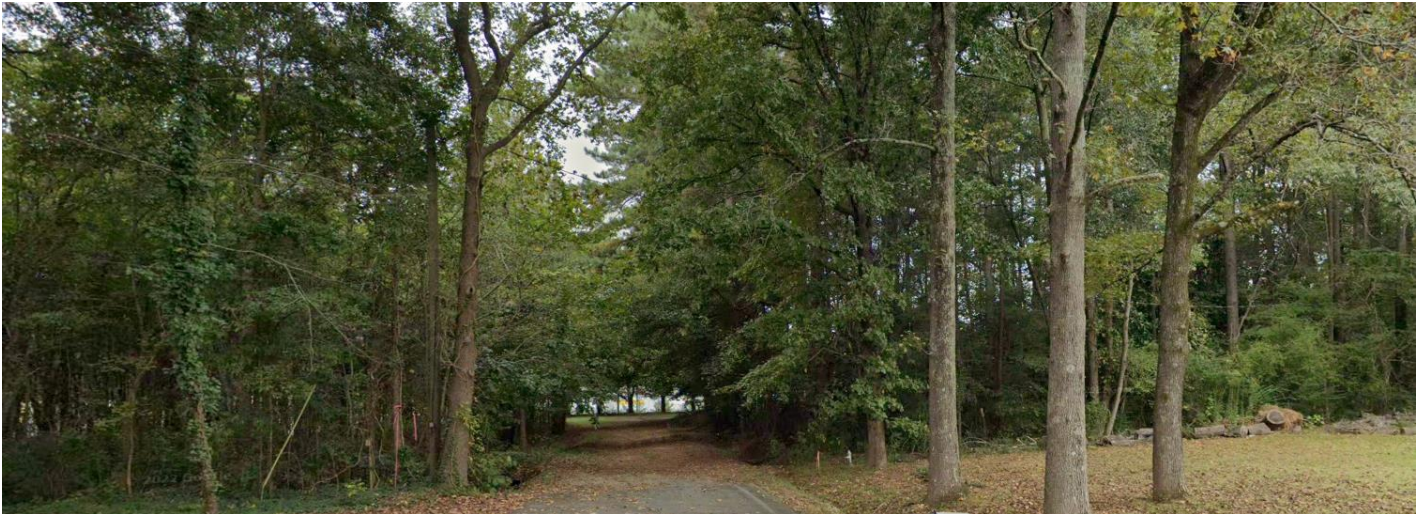
Foyer

Main Floor 1068 sq. ft.
Upper Floor 803 sq. ft.
Total 1871 sq. ft.

Mark Stewart Home Design



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** of variance **WITH CONDITIONS**. Per section 8-8-29 Single Family Residential district (RS) Standards, the city should promote an average density of five (5) dwelling units per acre. Based on the district intent and total acreage of proposed development, staff is requesting the applicant to decrease the number of homes by one (1), to allow a total of eight (8) new construction homes to be development, instead of the nine (9) that was initially requested. With this requested change, it should allow an increase of the requested minimum lot area, minimum lot width and setback changes. The requested variance will not be injurious to the public health, safety, morals, and general welfare of the community, and the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Attachments Included

- Justification Letter

STAFF REPORT-Text Amendment

Planning Commission

Public Hearing Date: November 16, 2023

City Council Meeting: December 4, 2023

Case: TA-2023-05**Proposed Request:** Text Amendment to Article A: Definitions and Article B: Zoning Districts, Overly Districts, and Design Guidelines Established;**Staff Report Compiled By:** LaShawn Gardiner, Director -Planning & Community Development**Staff Recommendation:** Approval to amend Zoning Ordinance**PROPOSED TEXT AMENDMENTS**

1. The Planning & Community Development Department is proposing multiple text amendments to the Zoning Ordinance related to transportation services and uses. Case TA-2023-05 includes an amendment providing an addition to Sec. 8-3-3 Definitions, and amendments to permitted and conditional use permits in Section 8-8-40 (General Commercial); Section 8-8-44 (Light Industrial); and Section 8-8-84 (Limitations on Certain Businesses).

BACKGROUND

The Planning & Community Development Department has discovered that Title 8, Section 8 of the current Zoning Ordinance does not adequately address the use of certain transportation businesses, such as taxi and limousine services, taxi and limousine dispatch and storage service, and ambulance services. The requested amendments will not be injurious to the public health, safety, morals, and general welfare of the community. The use will not be affected in a substantial, adverse manner.

The following text amendments are proposed:

2. An amendment to Section 8-3-3 Definitions, adding Ambulance, Ambulance Services, Driver, Taxicab, Taxicab Service, limousine, limousine service, Taxi, and limousine dispatcher.
3. An amendment to Section 8-8-40 General Commercial Zoning District to add ambulance, ambulance services, driver, taxicab, taxicab services, limousine, limousine service and taxi and limousine dispatch & storage as a conditional use.
4. An amendment to Section 8-8-44 (Light Industrial) to add ambulance, ambulance services, taxi, taxi services, limousine, limousine service3s and taxi and limousine dispatch & storage as permitted uses.
5. An amendment to Section 8-8-84 (g) to include ambulance services, taxicab services, limousine services, taxicab, and limousine dispatch as businesses with space limitations.
6. An amendment to Section 8-8-84 to add two new subsections, (N) and (O) to provide limitations on the number of vehicles such businesses may have on site and vehicle storage of such businesses in light industrial districts.

The current zoning ordinance was very vague in where such businesses were allowed per the zoning districts. This update creates better clarity of where such businesses are allowed in the city. Any applicant will still have to adhere to all licensing and regulations as required in state law (O.C.G.A. § 40-1-190 et. seq.).

Section 8-3-3 Definitions

1. **Ambulance** is a vehicle specially equipped for taking sick or injured people to and from the hospital, especially in emergencies.
2. **Ambulance services**-services provided by a licensed ambulance provider on the ground or air transportation of a sick or injured person in a specially designed and equipped vehicle which includes a trained ambulance attendant who is licensed or certified as required by state law.
3. **Driver** means the operator of a taxicab.
4. **Limousine** a large, chauffeur-driven luxury vehicle usually with a partition between the driver compartment and the passenger compartment used to transport passengers in return for payment, typically more luxurious than a taxicab and without a taximeter.
5. **Limousine dispatcher**-schedules and dispatch workers and service workers for conveyance of passengers, while providing exceptional customer service for external and internal customers.
6. **Limousine Service** shall mean a service whereby a vehicle is held out for hire, including the services of the driver of said vehicle, for purposes of traveling from one destination to another for a specified fee, or is contracted for or engaged on an hourly basis.
7. **Taxicab** is hereby defined to be a motor vehicle or similar vehicle operated for hire, used to transport passengers, uses a taximeter, and is authorized to provide taxicab services pursuant to this chapter.
8. **Taxi Dispatcher**- is a person designated to send cabs off to customers and keep records of all road-service calls. They may stay in touch with the drivers by phone, computer, or two-way radio, and help drivers with problems and answer their questions.
9. **Taxicab services** means the act of picking up passengers in the incorporated limits of the city, and accepting or soliciting any consideration, charge or fee which is determined by agreement, by mileage, by the length of time the vehicle is used or by contract for the use of any taxicab.

In an effort to clearly define the use of noted transportation businesses in zoning districts in the city, ambulance services, taxicab services, limousine service, and taxicab and limousine dispatch will be allowed as a Conditional Use in the General Commercial (GC) District as follows.

Section 8-8-40 General Commercial (GC) District

The intent of the GC district is to provide a land use category for a diversity of commercial uses that provide products and services on a regional level.

The provisions that regulate this land use district should promote an appropriate mixture of retail, personal service, dining, and entertainment uses that will allow for improved vehicular circulation and pedestrian movements.

The following uses shall be permitted as a Conditional Use in the General Commercial District

Permitted Uses

Retail and Business Uses

- Any use permitted in the institutional commercial (IC) district
- Antique shops, provided that there is no outdoor display or storage

- Automobile broker
- Automobile gasoline sales
- Automobile rental and leasing facilities
- Automobile sales (new dealerships)
- Automobile minor service/repair
- Automobile wash/wax centers
- Building and lumber supply establishments, providing that there is not outside storage of materials or equipment
- Catering establishments
- Colleges, universities, and vocational technical schools
- Commercial parking garages and lots
- Commuter transit, such as bus and train
- Fitness centers, gyms, yoga studios, and similar group instruction
- Funeral home/mortuary establishments
- Furniture sales and showrooms
- Hotels
- Indoor recreation, including bowling alleys, pool rooms, electronic gaming machines, and other similar activities
- Museums and art galleries
- Mystic/spiritual readings and shops
- Night club, dance club, tavern, and similar establishments
- Package stores
- Palm readers/psychics/fortune tellers
- Pet shops having no outside kennels
- Private school K-12
- Professional/business schools and colleges or other private schools offered for profit
- Restaurants and other dining establishments with or without a drive-through configuration
- Retail warehouses/wholesales providing sales of merchandise with no outdoor storage
- Sporting field and complexes
- Stationary, office supply, and equipment stores
- Tattoo parlors and piercing studios
- Theaters, assembly halls, concert hall, or similar places of assembly when conducted completely within enclosed building
- Trade shops, including electrical plumbing, heating/cooling, and roofing/siding, having no outside storage
- Vape and tobacco shops
- Veterinary clinics

Public/Institutional

- Municipal, county, state or federal buildings
- Public school K-12

Conditional Uses

Retail and Business Uses

- Ambulance Services (* vehicle limitation)
- Auction galleries

- Automobile sales (used dealerships)
- Flea Market
- Limousine services (*vehicle limitation)
- Outdoor amusement enterprises, including carnivals, bazaars, miniature golf, and batting cages
- Mini-warehouses and storage buildings
- Night club, dance club, tavern and similar establishments
- Pawn shop
- Places of assembly
- Places of Worship
- Secondhand stores, including apparel, music, movies, gaming, and books
- Taxicab services (*vehicle limitation)
- Taxicab and limousine dispatch (without vehicle storage)

In an effort to clearly define the use of noted transportation businesses in zoning districts in the city, ambulance services, taxicab services, limousine service, and taxicab and dispatch shall be allowed as a Permitted Use in Light Industrial (LI) District as follows.

Section 8-8-44 Light Industrial (LI) District

The intent of the LI district is to allow a land use category for assembly, warehousing, wholesale activities, and other industrial operations. The provisions that regulate this land use district should make the district compatible with Hartsfield-Jackson Atlanta International Airport, the State Farmers Market, the City's Commercial Districts, and environmentally sensitive areas.

This district should be used in combination with the GC district in areas with convenient access to the interstates and other major transportation routes.

Permitted Uses

Industrial and Warehousing

- Agricultural implementation and equipment establishments
- Ambulance Services
- Auto engine, body repair, and undercoating shops when completely enclosed
- Automobile rental and leasing facilities
- Automobile, truck, or trailer repair facilities
- Breweries and distilleries
- Building materials and lumber supply establishments
- Commercial parking garages and lots
- Computer and data processing services
- Gasoline service stations and truck stops
- Greenhouses and nurseries, including landscaping services
- Limousine services
- Manufacturing, compounding, processing, or assembling food or consumer goods
- Mini-warehouses and storage
- Newspaper and printing plants
- Nonprofit fraternal organizations and clubs
- Offices and administrative facilities

- Public utilities such as electric substations, storage of materials and trucks, repair facilities, offices and electric.
generating plants
- Recreational vehicle/boat sales and service
- Repair, reconditioning, and manufacturing
- Research, experimental, testing laboratories, blood plasma centers, blood banks, similar blood products and/or donation centers
- Taxicab services
- Taxicab and limousine dispatch (with vehicle storage)
- Truck, trailer, tractor sales and service
- Towing, wrecking, and impound service
- Tractor and trailer parking and storage
- Trade shops, including electrical, plumbing, heating/cooling, and roofing
- Trade/industrial/vocational schools
- Wholesale business, warehouse, distribution, trucking terminal, and similar non processing storage and
distribution uses

Public/Institutional

- Municipal, county, state, or federal buildings

Communications/Utilities

- Utility substation
- Water tower

Conditional Uses

Retail and Business Uses

- Bowling alley, billiard hall, indoor archery and firearm range, indoor tennis courts, indoor skating rink, or similar
forms of indoor commercial recreation
- Automobile sales
- Places of assembly
- Places of worship

Communications/Utilities

- Wireless telecommunications
- #### Accessory Uses

- Gate and security buildings
- Outdoor storage

To avoid an over-concentration of ambulance service, limousine services, taxicab services, and limousine and taxicab service dispatch, it is necessary to establish spacing requirements to the list of businesses currently in Section 8-8-84 (G).

Section 8-8-84 Limitations on Certain Businesses

Amend Section 8-8-84 (G) Spacing. This code section shall apply to the following types of businesses:

(g) Spacing. This Code section shall apply to the following types of businesses:

- (1) Hair salons and barbershops;
- (2) Nail salons;
- (3) Tire shops;
- (4) Pawn, title lending and cash for title shops;
- (5) Vapor shops and smoke shops;
- (6) Thrift stores and consignment shops;
- (7) Auto and truck repair shops (except that the spacing limitations shall not apply to such shops within the light industrial or heavy industrial zoning districts);
- (8) Appliances shops;
- (9) Tattoo shops;
- (10) Ambulance services;
- (11) Taxicab Services;
- (12) Limousine services;
- (13) Taxicab and limousine dispatch; and
- (14) Small box discount stores as defined in section 8-8-84(i).

Add new subsections (N) and (O) to Section 8-8-84 as follows.

(N) Ambulance services, limousine services, and taxicab services shall have no more than three (3) business vehicles on the premises of the business during hours of operation. Vehicles should be parked behind or on the side of the business facility when vehicles are not in use.

(O) Taxicab and limousine dispatch with vehicle storage is only allowed in Light Industrial districts, and vehicles should be parked in an orderly manner in secured, fenced area.

Staff recommends **Approval** of the proposed text amendment to the identified code sections of the Zoning Ordinance.

STAFF REPORT – Text Amendments
Public Hearing Date: November 16, 2023
City Council Meeting: December 4, 2023

Case: TA-2023-06

Proposed Request: Text Amendments to The City of Forest Park Zoning Code of Ordinance

Staff Report Compiled By: SaVaughn Irons, City Planner

Staff Recommendation: Approval to amend Zoning Ordinance

PROPOSED TEXT AMENDMENTS

1. The Planning & Community Development Department is proposing a text amendment to the Code of Ordinances. Case # TA-2023-06 includes an amendment to Article C. Development and Use Standards. Section. 8-8-73. Lot/Yard Standards.

BACKGROUND

The Planning & Community Development Department has discovered some areas of the Code of Ordinances that need to be amended for clarity and formal processes. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner. The following text amendments have been proposed:

2. An amendment to Article C. Development and Use Standards. Section. 8-8-73. Lot/Yard Standards, adding subsection (c) Commonly Owned Lots.

This update provides clarity for property owners with contiguous individual parcels and lots under common ownership to disregard Front yard, side yard and rear yard setbacks, found in Article B of the City of Forest Park Zoning Ordinance as long as the setbacks occur on the actual lines of ownership.

ARTICLE C. LOT/YARD STANDARDS

Section. 8-8-73. Lot/Yard Standards.

(a) Legal nonconforming lots. All existing lots in conflict with the lot/yard regulations at the effective date of this Code shall be considered legal non-conforming lots.

(b) General requirements. Except as provided in this Code, no building or structure shall be erected, altered, enlarged or reconstructed unless such alteration, enlargement, or reconstruction conforms with the lot/yard regulations of the district in which it is located, as follows:

- (1) Front yard setbacks. The minimum front yard setbacks shall be as noted for each zoning district found in article B.

- (2) Side yard setbacks. The minimum side yard setbacks shall be as noted for each zoning district found in article B.
 - (3) Rear yard setbacks. The minimum rear yard setbacks shall be as noted for each zoning district found in article B.
 - (4) Lot areas. The minimum and maximum lot areas shall be as for each zoning district found in article B.
 - (5) Lot width. The minimum lot width shall be as noted for each zoning district found in article B.
 - (6) Lot frontage. The minimum lot frontage shall be as noted for each zoning district found in article B.
 - (7) Lot depth. The maximum lot depth shall be as noted for each zoning district found in article B.
 - (8) Lot coverage. The maximum lot coverage shall be as noted for each zoning district found in article B.
 - (9) Living and ground floor areas. The minimum dwelling unit and ground floor living areas shall be as noted for each zoning district found in article B.
 - (10) Primary structures. The maximum number of residential and/or primary structures per lot shall be as noted for each zoning district found in article B.
- (c) Commonly Owned Lots. Notwithstanding the foregoing, the setbacks referenced in Sections 8-8-73(b)(1), (2) and (3) may be disregarded when a structure is intended to be built on contiguous individual parcels or lots which are under common ownership, provided that the disregarded setbacks shall only occur along the actual line(s) of common ownership.