



**CITY OF FOREST PARK**  
**PLANNING COMMISSION MEETING**

Thursday, September 21, 2023 at 6:00 PM  
Environmental Courtroom- Planning & Community Development Building

**Website:** [www.forestparkga.gov](http://www.forestparkga.gov)  
**Phone Number:** (404) 366-4720

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

## AGENDA

**BOARD MEMBERS:** Andy Porter, Azfar Haque, Michael Clinkscales, Roderick Jackson, Donald Williams

**CALL TO ORDER/WELCOME:**

**ROLL CALL:**

**APPROVAL OF MINUTES:**

1. Approval of July 20, 2023 Meeting Minutes

**OLD BUSINESS:**

**NEW BUSINESS:**

2. Case# VAR-2023-11 - Variance for 4281 Huntoon Pl., Parcel# 13017B C017 Forest Park, Georgia.
3. Case# VAR-2023-12 - Variances for 5050 Park Ave., Parcel# 13050C G001 and 730 South Ave., Parcel# 13050C G021 Forest Park, Georgia.
4. Case# CUP-2023-06 - Conditional Use for 4035 Jonesboro Rd. #220, Parcel# 13015B A001 Forest Park, Georgia.
5. Case# CUP-2023-07 - Conditional Use for 4035 Jonesboro Rd. #280, Parcel# 13015B A001 Forest Park, Georgia.
6. Text Amendment of Article A. General Provisions. Sec 8-2-2.-Permits (f) (1).

**ADJOURNMENT:**



**CITY OF FOREST PARK**  
**PLANNING COMMISSION MEETING**

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**Phone Number:** (404) 366.4720

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

## MINUTES

**BOARD MEMBERS:** Andy Porter, Azfar Haque, Michael Clinkscales, Roderick Jackson, Donald Williams

**CALL TO ORDER/WELCOME:** Andy Porter called the meeting to order at 6:07pm.

**ROLL CALL:**

Present: Andy Porter, Michael Clinkscales, Roderick Jackson, Donald Williams

Absent: Azfar Haque

Others Present: SaVaughn Irons, City Planner; Latonya Turner, Planning & Community Development Administrative Supervisor

**APPROVAL OF MINUTES:**

- Approval of June 15, 2023 Meeting Minutes  
 Michael Clinkscales made a motion to approve the June 15, 2023 Meeting Minutes. Donald Williams seconded the motion. Motion approved unanimously.

**OLD BUSINESS:**

**NEW BUSINESS:**

- Case# VAR-2023-09-Variance for 540 Perkins Dr., Parcel# 13078B A019 Forest Park, Georgia.  
 SaVaughn Irons stated the subject property is currently a vacant lot within the Single-Family Residential District (RS) with 0.17 +/- acres and a total land area square footage of 7,487. The applicant is requesting a variance to decrease the minimum lot width from 80 feet to 75 feet and reduce the side yard setback from 10 feet to 5 feet. Per section 8-8-29 Single Family Residential District (RS) Standards, the required minimum lot width is 80 feet. The reason for this request is due to the land parcel's peculiar shape and surrounding homes within the community being consistent with the similar lot dimensions, based on the subject property plot map. The applicant has advised that the peculiar shape of the lot was pre-existing prior to the update of the Unified development code standards for new construction single-family homes. Currently the Unified development code standards provides a hardship to meet the minimum lot area based on the lots peculiar shape and the city of Forest Park Zoning Ordinance. This

variance will allow the applicant to construct a new development single-family home within the RS district on a smaller lot width and provide added value to the existing community for future esthetics and home ownership. The Planning Commission may grant a variance from the development standards of this chapter where permitted 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 recommends approval of a variance to allow a minimum lot width of seventy-five (75) feet instead of the required eighty (80) feet and a minimum side yard setback of five (5) feet instead of the required minimum side yard setback of ten (10) feet. This approval allows the applicant to construct a newly developed home on the peculiarly shaped lot. 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.

Andy Porter opened the floor to public comments.

Donald Willis, resident of 5118 Middlebrooks Dr., asked if, according to the Zoning Ordinance, the 35 ft maximum height and 1,400 sq ft minimum requirements would apply.

Ms. Irons answered yes and stated the applicant would be required to comply with all Zoning Ordinance requirements.

Mr. Porter closed the floor to public comments after no one else came forward.

Ms. Irons stated there is a park adjacent to the property that would provide added value.

Michael Clinkscales made a motion to approve the Variance for 540 Perkins Dr. Donald Williams seconded the motion. Motion approved unanimously.

3. Case# VAR-2023-10-Variance for 532 Perkins Dr., Parcel# 13078B A017 Forest Park, Georgia. Ms. Irons stated that the subject property is currently a vacant lot within the Single-Family Residential District (RS) with 0.17 +/- acres and a total land area square footage of 7,487. The applicant is requesting a variance to decrease the minimum lot width from 80 feet to 75 feet and reduce the side yard setback from 10 feet to 5 feet. Per section 8-8-29 Single Family Residential District (RS) Standards, the required minimum lot width is 80 feet. The reason for this request is due to the land parcel's peculiar shape and surrounding homes within the community being consistent with the similar lot dimensions, based on the subject property plot map. The applicant has advised that the peculiar shape of the lot was pre-existing prior to the update of the Unified development code standards for new construction single-family homes. Currently the Unified development code standards provides a hardship to meet the minimum lot area based on the lots peculiar shape and the city of Forest Park Zoning Ordinance. This variance will allow the applicant to construct a new development single-family home within the RS district on a smaller lot width and provide added value to the existing community for future esthetics and home ownership. The Planning Commission may grant a variance from the development standards of this chapter where permitted 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 recommends approval of variance to allow a minimum lot width of seventy-five (75) feet instead of the required eighty (80) feet and a minimum side yard setback of five (5) feet instead of the required minimum side yard setback of ten (10) feet. This approval allows the applicant to construct a newly developed home on the peculiarly shaped lot. 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.

Mr. Porter opened the floor to public comments and closed it after no one came forward.

Michael Clinkscales made a motion to approve the Variance for 532 Perkins Dr. Donald Williams seconded the motion. Motion approved unanimously.

4. Text Amendment to Title 8, Chapter 3, Signs. Sec. 8-3-3 Definitions; 8-3-14 Prohibited Signs; and Sec. 8-3-23 Restrictions Based on Location of the City of Forest Park Code of Ordinances to allow certain signs in designated zoning districts.

Ms. Irons stated The Planning & Community Development Department is proposing three text amendments to the Sign Ordinance. Case #TA-2023-02 includes an amendment providing an addition to Sec. 8-3-3 Definitions, an amendment eliminating language from Sec. 8-3-14 Prohibited Signs and Devices, and an amendment adding standards to Sec. 8-3-23 Restrictions Based on Location. The Planning & Community Development Department has discovered an area of the Sign Ordinance that needs to be amended. The requested text 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 have been proposed: An amendment to Section 8-3-3 Definitions, adding Changeable Copy, Message Board, and Reader Board. An amendment to Section 8-3-14 Prohibited Signs, eliminating the word changeable copy signs. An amendment to Section 8-3-23 Restrictions Based on Location. The update creates a standard for the type of signs allowed in said zoning districts. The current sign ordinance limits the ability of establishments such as theaters, auditoriums, and cultural arts venues to advertise and promote performances. This update will clarify the requirements. ARTICLE A. GENERAL PROVISIONS Sec. 8-3-3. Definitions-The addition of New Definitions Changeable Copy Sign-- A sign which allows characters, letters, or illustrations to be changed without altering the sign. Message Board Sign-- a board or sign on which messages or notices are displayed. Reader Board Sign-- Reader board means a sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or the surface of the sign. There also is a list of prohibited signs that have been added and eliminated. If not otherwise stated, any sign not specifically allowed in a zoning district as provided under this section shall be prohibited in that district, except as otherwise provided for under this chapter. The following standards govern signs within specific zoning districts. 1) RS—Single family residential district. Entry feature sign/freestanding sign. One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with institutional use shall be permitted for each street on which the lot has frontage. Staff's recommendation is approval of the proposed text amendment to the identified code sections of the sign ordinance.

Mr. Porter asked if each of the items read aloud from section 8-3-23 would be added to the ordinance, if the only change to section 8-3-14 would be the removal of changeable copy signs, and if in section 8-3-3 the definition of changeable reader boards would be added .

Ms. Irons stated that is correct.

Mr. Porter opened the floor to public comments and closed it after no one came forward.

Michael Clinkscales made a motion to approve the Text Amendment. Donald Williams seconded the motion. Motion approved unanimously.

5. Text Amendment to Article F. Boards and Commissions. Sec. 8-8-158 Urban Design Review Board; and Sec. 8-8-161 Design Approval Procedures (b) Application Review.

Ms. Irons stated 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: Article F. Boards and Commissions. Section. 8-8-161 Design approval procedures b) Application review process, adding an application deadline schedule and scheduled calendar date for scheduled meeting to occur based on application submittal deadline. This update creates a standard monthly due date for applications to be submitted by the second Wednesday of each month as well as proposing the meeting date to occur on the third Friday of each month. The previous ordinance did not provide an organized process for when applications can be received, and did not provide an explicit timeline, leaving too much room for an unorganized process for both applicants and staff. This update will clarify application submittal deadlines, meeting dates and create a more fluid process for the urban design review board members, city staff and the applicant. ARTICLE F. BOARDS AND COMMISSIONS Sec. 8-8-161. Design approval procedures b) Application Review. b) Application Review. A design plan application shall be submitted in triplicate to the planning and community development director for review to ensure compliance with provisions of this section and for transmission of two (2) copies to the urban design review board for review and final action. The architectural design plan application is to be submitted in completion by the second (2<sup>nd</sup>) Wednesday of each month by close of business to be reviewed on the following month calendar. The chairman of the board shall call a formal meeting once each month on the third Friday of each month of the application's acceptance. Within seventy-two (72) hours after the date of the formal review meeting, the board shall take final action on the design plan application. If the board shall fail to take final action upon the application, the application shall be deemed to be approved. The board may extend this deadline by a majority vote of those members present. When circumstances necessitate, the board may defer action on an application until its next meeting. Staff recommends approval.

Mr. Porter opened the floor to public comments and closed it after no one came forward.

Michael Clinkscales made a motion to approve the Text Amendment. Donald Williams seconded the motion. Motion approved unanimously.

6. Text Amendment to Article B. Zoning Districts, Overlay Districts, and Design Guidelines Established, to include a new Section 8-8-55. Arts and Entertainment Overlay District.

Ms. Irons stated that in order to further the downtown vision and to implement and accomplish these goals it is necessary to amend the Zoning Ordinance to include a new Arts and Entertainment Overlay District. This district will create a sense of place, incorporate public art that celebrates the history of downtown Main Street and the city as a whole, and encourage a walkable, live, work and play community with diverse development, connectivity and activities that encourage inclusivity while supporting health and wellness. 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 are proposed: An amendment to Section Article A, Section 8-8-4 Definitions, adding, Arts, Art/Artisan Gallery, Art Center, Art Use, Artist Studio,

Artist, Drive-through, Entertainment (Live), Food Truck, Food Truck Court, Food Truck Vendor, Makerspace, Microbrewery, Outdoor arts market, and Small Power Tools. An amendment to establish a new Section 8-8-55. Arts and Entertainment Overlay District. This update will provide definitions for retail and business uses that are currently permitted in several zoning districts, and further enhance the current Article I. Forest Park Entertainment District. There is hereby established an Arts and Entertainment Overlay District. The purpose of the Arts & Entertainment Overlay District is to facilitate the creation of an arts destination, sustain established arts and cultural uses and promote new arts and cultural uses. The Arts & Entertainment District Overlay seeks integration of the arts into the fabric of the community and is conceived as the location of art galleries and art studios forming the core of an arts district. A complementary mix of shops, restaurants and entertainment venues will support these uses. These elements are expected to generate interest in downtown Forest Park and attract arts and cultural events. The Arts & Entertainment District Overlay features an expanded range of permitted uses focused on the arts while retaining all property rights established by the underlying zoning. The Arts & Entertainment District Overlay encourages adaptive reuse of historic buildings and new construction technologies, affording owners expanded development options. These measures will enhance the market attractiveness of the arts district. Arts venues, community festivals, expanded arts uses and pedestrian character are expected to promote an arts district. Planned investment in public art, lighting, sidewalks, and off-street parking will leverage private investment and enhance public safety. This combination of public and private investment is expected to advance Forest Park's position in regional leadership in the arts and stimulate broad economic revitalization. Importantly, the Arts District Overlay features walkable distances from nearby neighborhoods to small-scale establishments and live entertainment venues accommodated by the Arts District Overlay and compatible with the neighborhood character. Signs with lights and movable elements that contribute to the unique character of the district shall be permitted. However, signage located in the underlying DM (Downtown Main Street) District should adhere to the design standards established for the Downtown Main Street District. All signs in the Arts & Entertainment District shall be subject to approval by the Planning Director or his/her designee upon the submission of a sign application, and any applicable documents and fees. The purpose of this amendment is to create an Arts & Entertainment District to facilitate creation of an arts destination, sustain established arts and cultural uses and promote new arts and cultural uses. Incorporating the arts into the current entertainment district and expanding this overlay district into Starr Park and adjacent properties connects the fabric of the community to provide for a walkable place to live, work, play and have a good quality of life while generating an interest in downtown Forest Park. Staff recommends approval of this text amendment.

Mr. Porter opened the floor to public comments and closed it after no one came forward.

Roderick Jackson asked about scheduling conflicts with events such as food trucks and trade shows.

Ms. Irons answered that dates would be reserved during the application process and events would not be scheduled on the same dates.

Mr. Porter asked about the parking requirements for food trucks.

Ms. Irons answered that we would still have to abide by all parking standards for each district.

Michael Clinkscales made a motion to approve the Text Amendment. Donald Williams seconded the motion. Motion approved unanimously.

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**ADJOURNMENT:** Michael Clinkscales made a motion to adjourn the meeting. Roderick Jackson seconded the motion. Motion approved unanimously. Meeting adjourned at 6:52pm.



# 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: September 21, 2023

Case: VAR-2023-11

**Current Zoning:** RS – Single Family Residential District

**Proposed Request:** Variance Request to decrease the rear yard minimum setback from 30 feet to 27.5 feet.

**Staff Report Compiled By:** SaVaughn Irons, City Planner

**Staff Recommendation:** Approval of Variance

### APPLICANT INFORMATION

<b>Owner of Record:</b> <b>Name:</b> Plinio Quezada 4281 Huntoon PL. Forest Park, GA 30297	<b>Applicant:</b> Plinio Quezada 4281 Huntoon PL. Forest Park, GA 30297
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### PROPERTY INFORMATION

<b>Parcel Number:</b> 13017B C017	<b>Acreage:</b> 0.28+/-
<b>Address:</b> 4281 Huntoon PL., Forest Park, GA 30297	<b>FLU:</b> S.F. 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	RS: Single Family Residential District	West	RS: Single Family Residential District

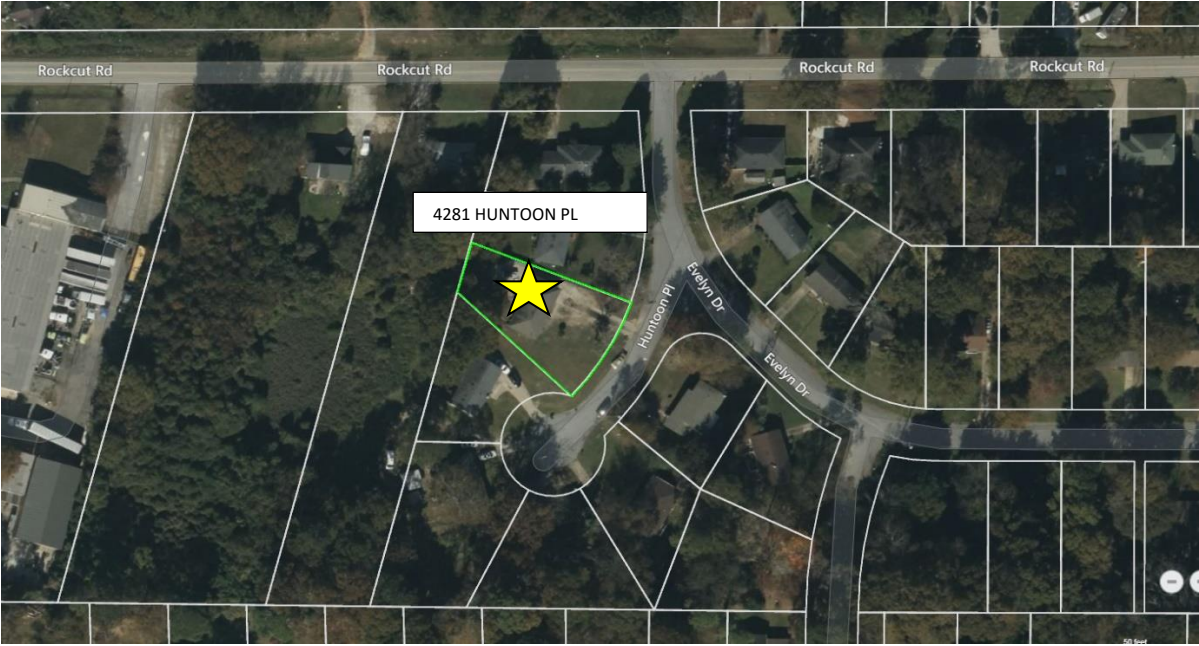
### SUMMARY & BACKGROUND

The subject property is a residential home located at 4281 Huntoon PL., on approximately 0.28 +/- acres. The home was built in 1957 with a total building area square footage of 1,275. The applicant has added an addition to the primary structure and is requesting a variance for the constructed addition to allow a minimum rear yard setback of twenty-seven



and a half (27.5) feet instead of the required minimum thirty (30) foot rear yard setback, per Sec. 8-8-29 Single Family Residential District (RS) Standards. The addition to the primary structure was constructed without receiving the appropriate permits for construction and the applicant was unaware of the setback requirements. In addition to the addition of the primary structure, the applicant is also in process of constructing an access hallway that will connect the accessory structure to the primary structure to make one single structure. Based on these findings, the applicant has submitted for a variance to allow his construction to remain at its current location. Surrounding the rear perimeter of the applicant property, a fence was previously on site, but since has been removed to allow additional rear yard setback footage. With the removal of the fence, the current rear yard setback is 27.5 feet. The applicant does not have any neighboring properties at the rear of his property line to provide consent due to it being a wooded area. This variance will allow the applicant to maintain his 27.5 rear yard setback for primary structure addition instead of the required minimum rear yard setback of 30 feet.

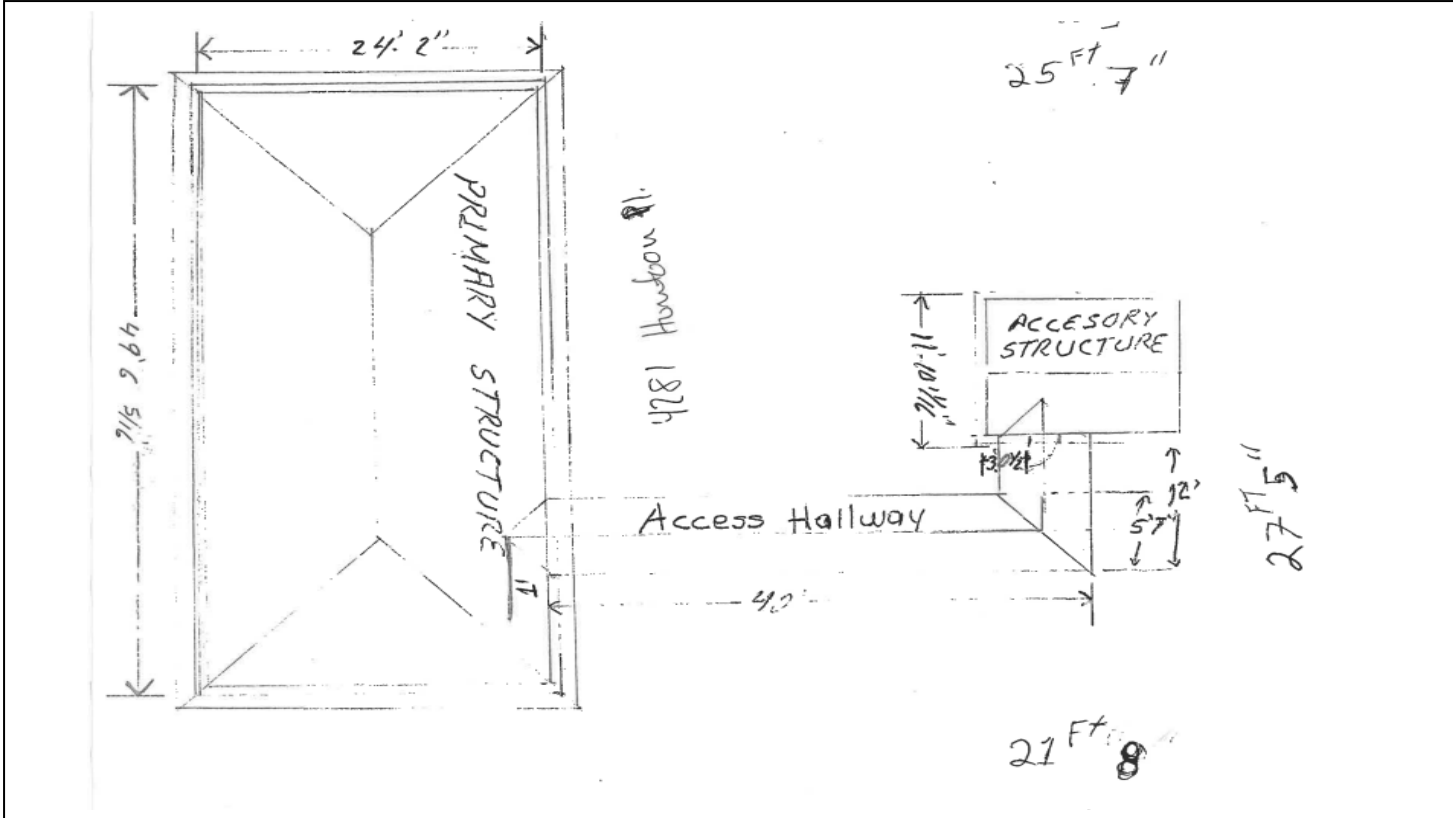
**AERIAL MAP**



**ZONING MAP**



**SITE PLAN**



**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 a variance to allow a minimum rear yard setback of twenty-seven and a half (27.5) feet instead of the required minimum rear yard setback of thirty (30) foot for the preconstructed addition to the primary structure. This approval allows the previously constructed development to remain on said property. 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



# CITY OF FOREST PARK

Item #3.

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

## Staff Report – Variance

Public Hearing Date: September 21, 2023

Case: VAR-2023-12

**Current Zoning:** RS – Single Family Residential District

**Proposed Request:** Variance Request to decrease the minimum lot width from the required 80 ft to 70 ft, reduce the front yard setback from the required 25 feet to 5 feet and reduce the rear yard setback from the requirement of 30 feet to 12 feet to build 6 new single-family homes.

**Staff Report Compiled By:** SaVaughn Irons, City Planner

**Staff Recommendation:** Approval of Variance

### APPLICANT INFORMATION

<b>Owner of Record:</b>	<b>Applicant:</b>
<b>Name:</b> Technique Concrete Construction 5050 Park Ave and 730 South Ave Forest Park, GA 30297	Technique Concrete Construction 5050 Park Ave and 730 South Ave Forest Park, GA 30297

### PROPERTY INFORMATION

**Parcel Number:** 13050C G001 and 13050C G021      **Acreage:** 0.32+/-  
**Address:** 5050 Pake Ave and 730 South Ave., Forest Park, GA 30297      **FLU:** S.F. Residential

### ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

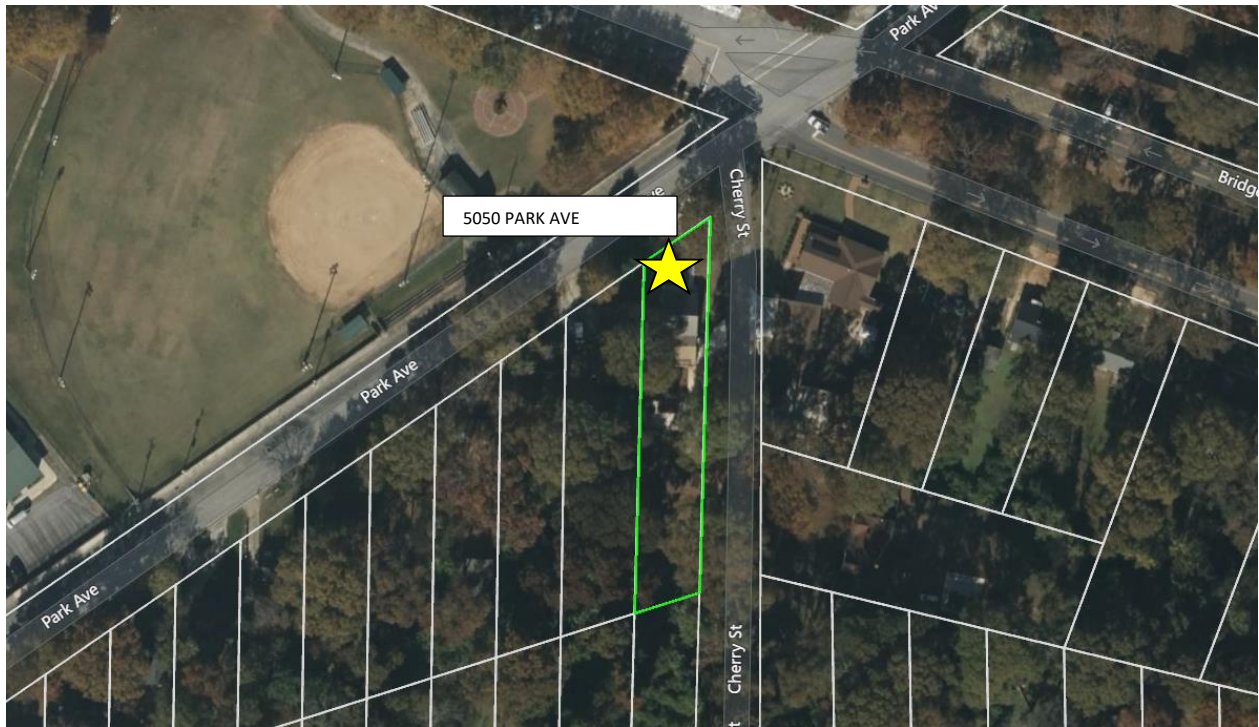
Direction	Zoning & Use	Direction	Zoning & Use
North	RS: Single Family Residential District	East	RS: Single Family Residential District
South	RS: Single Family Residential District	West	RS: Single Family Residential District

### SUMMARY & BACKGROUND

The subject property is a vacant lot located at 5050 Park Ave on approximately 0.32 +/- acres and a vacant residential home located at 730 South Ave., on approximately 0.32 +/- acres. The

applicant, Technique Concrete, is requesting a variance to decrease the minimum lot width from 80 feet to 70 feet, reduce the front yard setback from 25 feet to 5 feet and reduce the rear yard setback from 30 feet to 12 feet. Per section 8-8-29 Single Family Residential district (RS) Standards, the required minimum lot width is 80 feet, the required front yard setback is 25 feet, and the required rear yard setback is 30 feet. Each property will have a side yard setback of 17 feet, which measures 7 feet over the minimum requirement of ten (10) feet and will feature a lot size of 3,505 square feet, with 30% coverage. The lot width will be 70 feet and will allow a frontage of 70 feet. Additionally, the depth of these properties will be 50 feet with a living area of 1,446 square feet. They will feature 2 bedrooms, 2.5 bathrooms, and a rooftop deck above each garage per dwelling unit. With these findings, the applicant is limited in where they can build on the property, which prevents them from complying with current zoning standards. The purpose of this request is due to their interest in building six (6) new construction residences at the specified location. With this development, there are also plans to add infrastructure such as a pedestrian sidewalk to promote walkability and a healthier lifestyle for its future residence. This pedestrian sidewalk will be constructed from Park Ave to South Ave and have direct access to Starr Park. Currently, on the corner of South Ave and Cherry St. there is a residential structure with plans to be demolished and be replaced with one of the proposed new construction homes. This variance will allow the applicant to construct six new homes within the Single-Family Residential District, provide added value to the existing community, increase home ownership, and promote a better quality of life to the residents in Forest Park

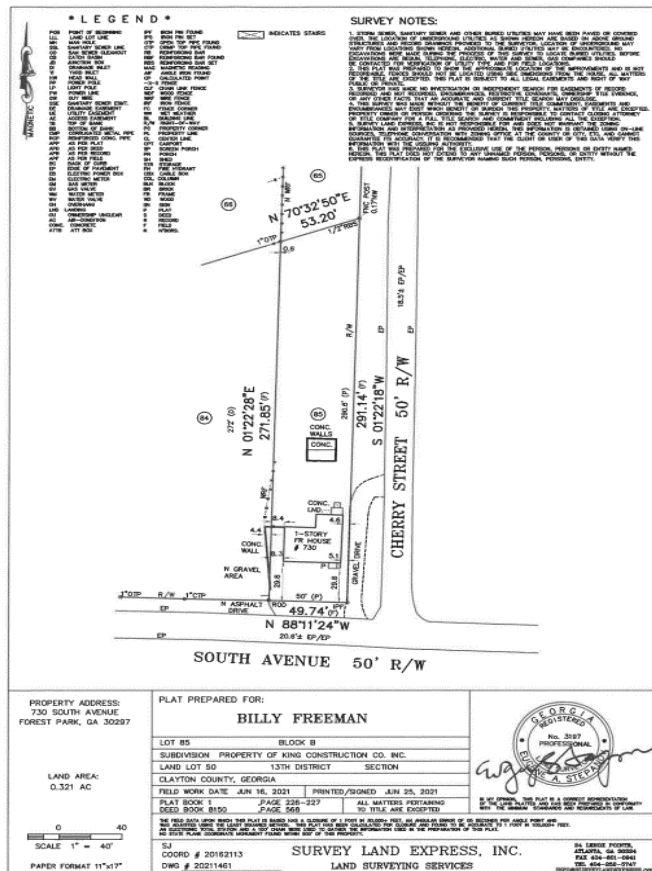
**AERIAL MAP**



## ZONING MAP



## SITE PLAN









**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 a variance to allow a decrease of the minimum lot width from the required 80 ft to 70 ft, reduce the front yard setback from the required 25 feet to 5 feet and reduce the rear yard setback from the requirement of 30 feet to 12 feet to build 6 new single-family homes. This approval will allow the development of six (6) single family residential dwelling units to be built, as well as allow for upgrades on the sidewalk infrastructure within the subject property area. 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



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

## Staff Report – Conditional Use Permit

Public Hearing Date: September 21, 2023

City Council Meeting: October 2, 2023

**Case:** CUP-2023-06

**Current Zoning:** GC – General Commercial District

**Proposed Request:** Applicant is requesting a Conditional Use Permit to open and operate a small event space within the General Commercial District (GC).

**Staff Report Compiled By:** SaVaughn Irons, City Planner

**Staff Recommendation:** Approval of Conditional Use

### APPLICANT INFORMATION

<b>Owner of Record:</b>	<b>Applicant:</b>
<b>Name:</b> Amoni Carr and Shaun Gordon	<b>Name:</b> Amoni Carr and Shaun Gordon
<b>Address:</b> 4035 Jonesboro Rd. Ste. 220	<b>Address:</b> 4035 Jonesboro Rd. Ste. 220
<b>City/State:</b> Forest Park, GA 30297	<b>City/State:</b> Forest Park, GA 30297

### PROPERTY INFORMATION

<b>Parcel Number:</b> 13015B A001	<b>Acreage:</b> 0.27
<b>Address:</b> 4035 Jonesboro Rd. Ste. 220, Forest Park, GA 30297	<b>FLU:</b> Commercial

### SUMMARY & BACKGROUND

The applicant is requesting a Conditional Use to open and operate a small event space at 4035 Jonesboro Rd. Ste 220. The applicant is proposing to utilize this space to host celebrations, corporate events, meetings, and other significant gathering functions that will have a typical event attendance of 25-75 guests with a maximum of 100 guests. The operation hours will be Monday to Sunday 9am - 12am, per event booked. Presently, the proposed space is vacant and measures 3,300 square feet. This property is located within the General Commercial District (GC). Per Section 8-8-40 General Commercial District (GC), Places of assembly require conditional use permits to operate in the General Commercial District. Currently, the property is located within a commercial strip center.

**Property Zoned General Commercial District (GC)**

### ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

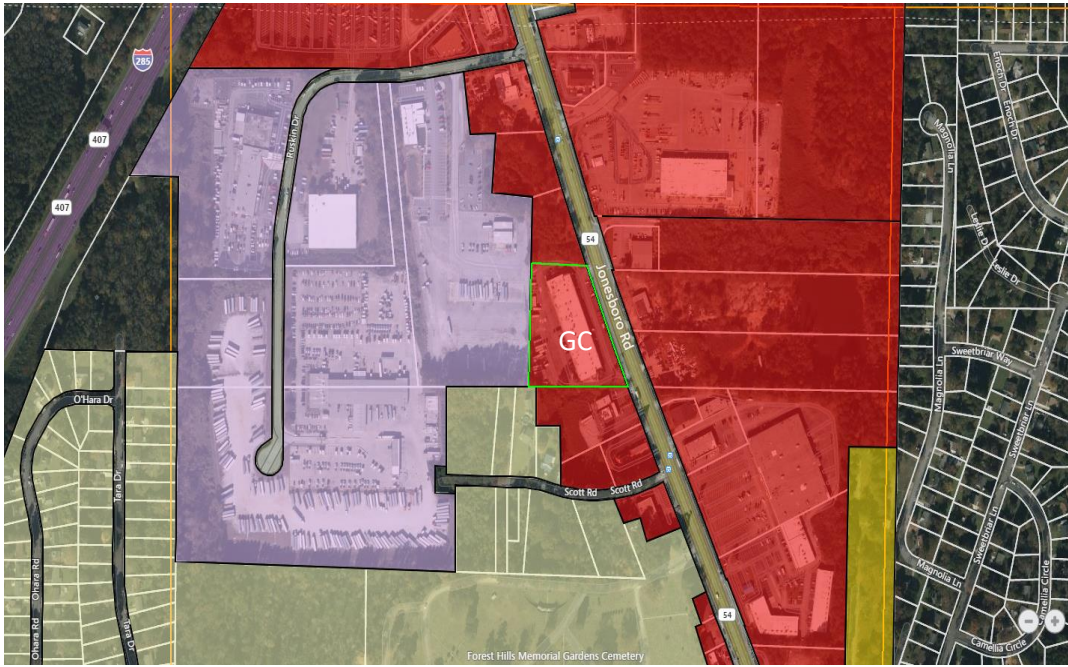
Direction	Zoning & Use	Direction	Zoning & Use
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North	GC- General Commercial District	East	GC- General Commercial District
South	GC- General Commercial District	West	LI- Light Industrial District

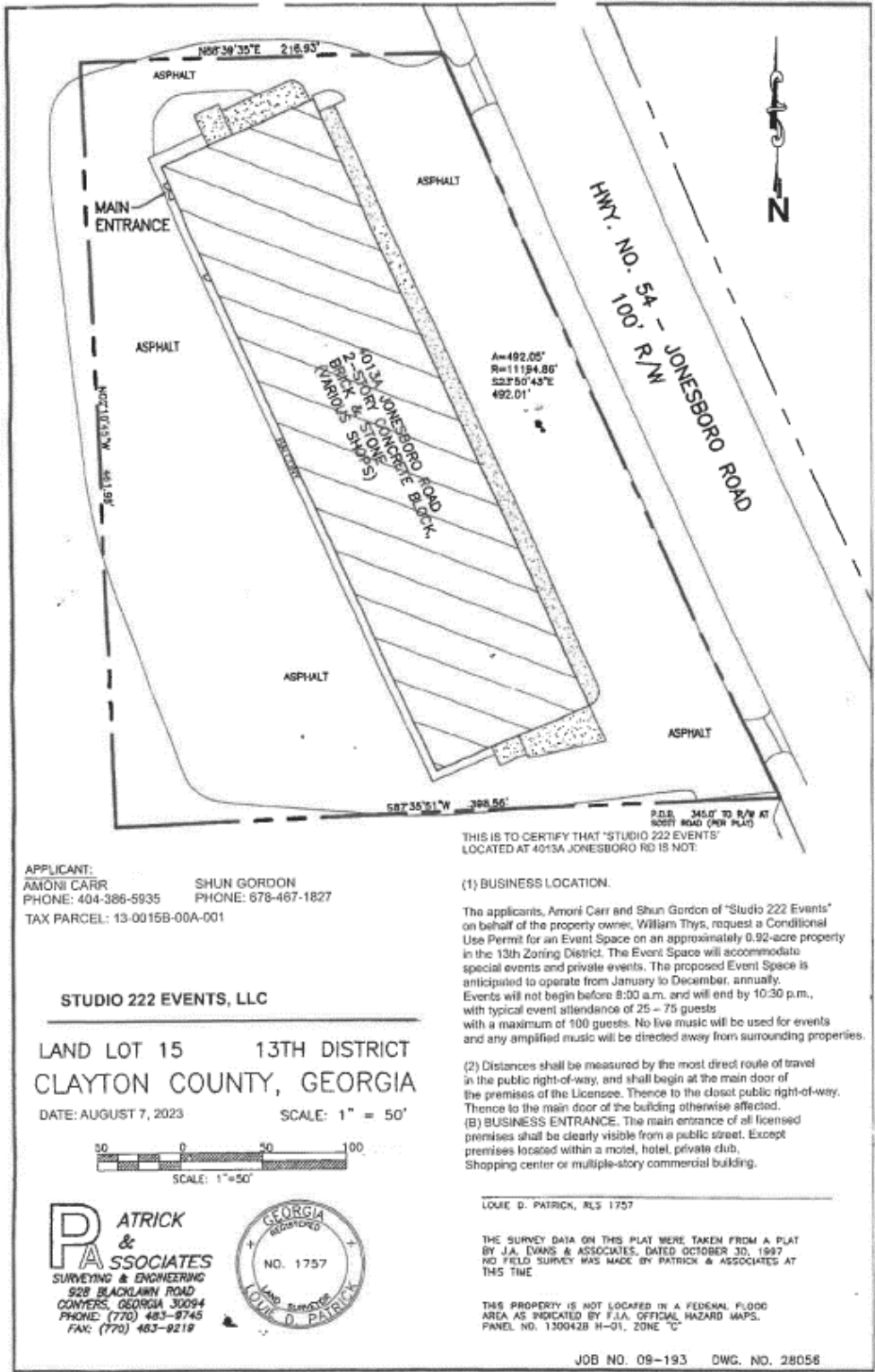
**AERIAL MAP**



**ZONING MAP**



**SITE PLAN**



- (1) BUSINESS LOCATION.
- The applicants, Amori Carr and Shun Gordon of "Studio 222 Events" on behalf of the property owner, William Thys, request a Conditional Use Permit for an Event Space on an approximately 0.92-acre property in the 13th Zoning District. The Event Space will accommodate special events and private events. The proposed Event Space is anticipated to operate from January to December, annually. Events will not begin before 8:00 a.m. and will end by 10:30 p.m., with typical event attendance of 25 - 75 guests with a maximum of 100 guests. No live music will be used for events and any amplified music will be directed away from surrounding properties.
- (2) Distances shall be measured by the most direct route of travel in the public right-of-way, and shall begin at the main door of the premises of the Licensee. Thence to the closest public right-of-way. Thence to the main door of the building otherwise affected.
- (E) BUSINESS ENTRANCE. The main entrance of all licensed premises shall be clearly visible from a public street. Except premises located within a motel, hotel, private club, Shopping center or multiple-story commercial building.



**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?** The proposed use is compatible and consistent with the City's land use and development goals and objectives. The property is located within a commercial strip center that encompasses a variety of businesses.
2. **Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets?** The proposal will not have a significant impact on the transportation infrastructure, however, depending on the number of people attending each event during operation hours, there could be an increase of traffic in the area that could potentially aid in congestion in the streets within the area.
3. **Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers?** The proposed use will not have an increase, decrease of the relationship to safety from fire and other dangers if event space attendee numbers are minimized.
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 development does not appear to be a detriment to the public health, safety, morals, or general welfare if the Conditional Use Permit is granted.
5. **Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air?** The proposed use will not increase, decrease, or have any influence on the adequacy of light and air.
6. **Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land?** No.
7. **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 so dense in population as to adversely affect the health, safety, and general welfare of the city?** The proposed use will not increase the population or density as to adversely affect the health, safety, and general welfare of the city.
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 use will not cause any additional impact on the water/sewer and other utilities or other public services.
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 subject property value has no existing zoning restriction that would diminish the value and enjoyment of surrounding properties. The area is zoned General

Commercial and there are other commercial properties surrounding it. As long as applicant communicates with neighboring businesses about scheduled events to ensure it does not disturb operations of surrounding businesses.

- 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?** Granting a Conditional Use Permit would not diminish the future uses of the property and surrounding area.
- 11. Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?** The use appears suitable for the nearby properties. There is no indication of any potential detrimental causes that would decrease the property value of surrounding or adjacent property. The applicants have been in communication with neighboring businesses regarding proposed use.
- 12. Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?** The Conditional Use Permit would not create an isolated district.

### STAFF RECOMMENDATION

Staff recommends **APPROVAL OF A CONDITIONAL USE PERMIT** to allow a small event venue within the General Commercial (GC) District. **WITH THE FOLLOWING CONDITIONS:**

1. The applicant must adhere to the City of Forest Park, GA Zoning Ordinance Parking standards outlined in Section 8-8-90.
2. The applicant will provide a letter of approval/consent from neighboring businesses providing consent of type of business to ensure no disruption of the current tenant/businesses.
3. The applicant will provide written policy to guests on limited parking spaces.
4. The maximum number of occupants in the facility shall not exceed 100 people at any time.
5. Violation of these conditions will result in the loss of the conditional use permit and associated business licenses.

Attachments Included:

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



# CITY OF FOREST PARK

Item #5.

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

## Staff Report – Conditional Use Permit

Public Hearing Date: September 21, 2023

City Council Meeting: October 2, 2023

**Case:** CUP-2023-07

**Current Zoning:** GC – General Commercial District

**Proposed Request:** Applicant is requesting a Conditional Use Permit to open and operate a small event space within the General Commercial District (GC).

**Staff Report Compiled By:** SaVaughn Irons, City Planner

**Staff Recommendation:** Approval of Conditional Use

### APPLICANT INFORMATION

<b>Owner of Record:</b>		<b>Applicant:</b>	
<b>Name:</b>	Vivian Banduka	<b>Name:</b>	Vivian Banduka
<b>Address:</b>	4035 Jonesboro Rd. Ste. 280	<b>Address:</b>	4035 Jonesboro Rd. Ste. 280
<b>City/State:</b>	Forest Park, GA 30297	<b>City/State:</b>	Forest Park, GA 30297

### PROPERTY INFORMATION

<b>Parcel Number:</b> 13015B A001	<b>Acreage:</b> 0.27
<b>Address:</b> 4035 Jonesboro Rd. Ste. 280, Forest Park, GA 30297	<b>FLU:</b> Commercial

### SUMMARY & BACKGROUND

The applicant is requesting a Conditional Use to open and operate a small event space at 4035 Jonesboro Rd. Ste 280. Previously, the applicant owned the event center at this location with prior business partners, but due to changing of ownership and business name change, applicant was required to resubmit for CUP. This property is located within the General Commercial District (GC). Per Section 8-8-40 General Commercial District (GC), Places of assembly require conditional use permits to operate in the General Commercial District. Currently, the property is located within a commercial strip center.

**Property Zoned General Commercial District (GC)**  
**ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES**

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

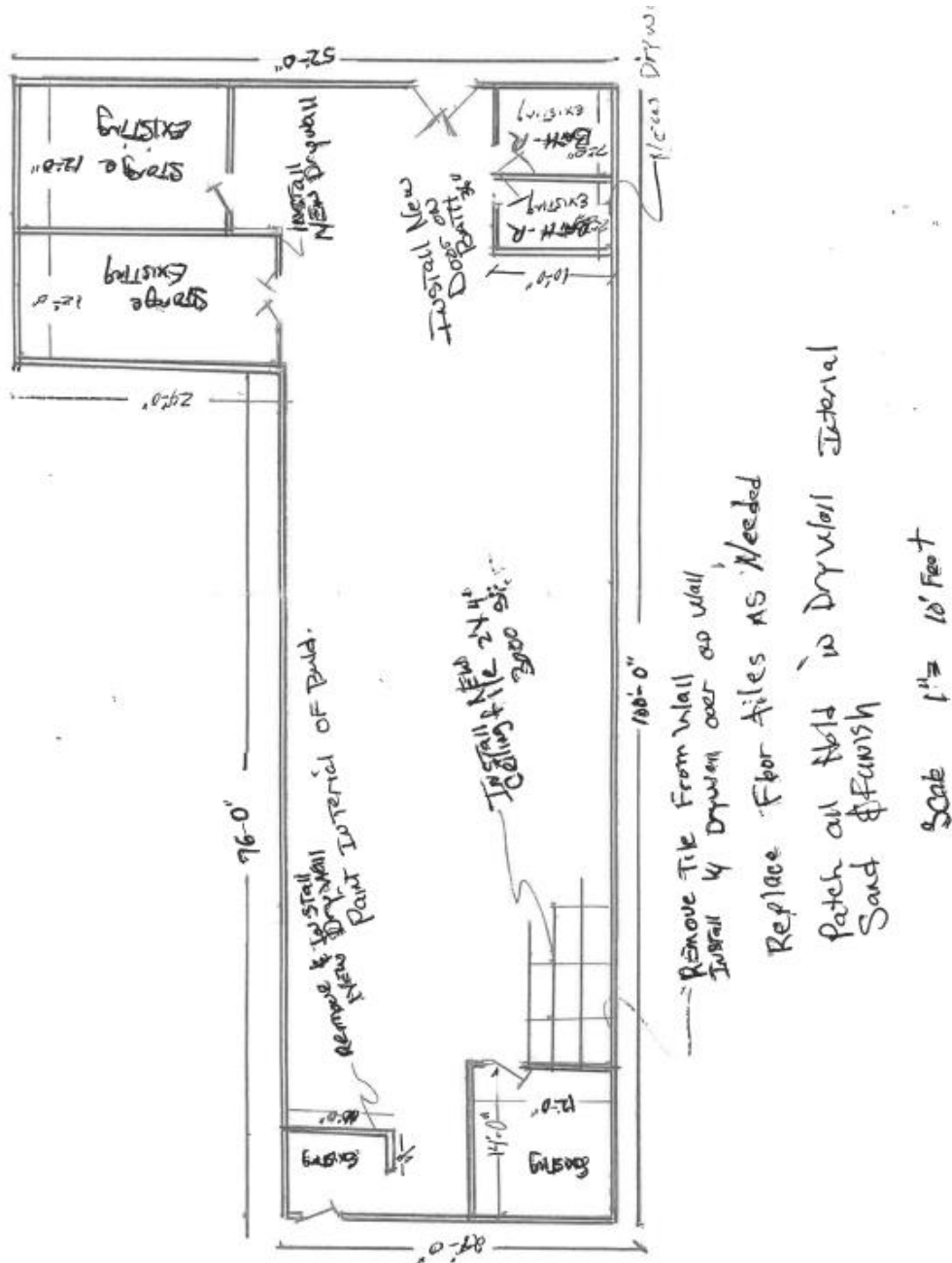
### AERIAL MAP



### ZONING MAP



SITE PLAN



Ms. Event Center  
 Charms ATL LLC Event Center  
 4035 Sweetgum Forest Park Ga 30297  
 Louisa Road  
 Forest Park

**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?** The proposed use is compatible and consistent with the City's land use and development goals and objectives. The property is located within a commercial strip center that encompasses a variety of businesses.
2. **Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets?** The proposal will not have a significant impact on the transportation infrastructure, however, depending on the number of people attending each event during operation hours, there could be an increase of traffic in the area that could potentially aid in congestion in the streets within the area.
3. **Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers?** The proposed use will not have an increase, decrease of the relationship to safety from fire and other dangers if event space attendee numbers are minimized. The proposed use can affect emergency access if there is an overflow of parking.
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

development does not appear to be a detriment to the public health, safety, morals, or general welfare if the Conditional Use Permit is granted.

5. **Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air?** The proposed use will not increase, decrease, or have any influence on the adequacy of light and air.
6. **Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land?** No.
7. **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 so dense in population as to adversely affect the health, safety, and general welfare of the city?** The proposed use will not increase the population or density as to adversely affect the health, safety, and general welfare of the city.
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 use will not cause any additional impact on the water/sewer and other utilities or other public services.
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 subject property value has no existing zoning restriction that would diminish the value and enjoyment of surrounding properties. The area is zoned General Commercial and there are other commercial properties surrounding it. As long as applicant communicates with neighboring businesses about scheduled events to ensure it does not disturb operations of surrounding businesses.
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?** Granting a Conditional Use Permit would not diminish the future uses of the property and surrounding area. This event/Banquet center has previously been at this location, the applicant has changed from partnership to sole ownership with a new business name.
11. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?** The use appears suitable for the nearby properties. There is no indication of any potential detrimental causes that would decrease the property value of surrounding or adjacent property.
12. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?** The Conditional Use Permit would not create an isolated district.

**STAFF RECOMMENDATION**

Staff recommends **APPROVAL OF A CONDITIONAL USE PERMIT** to allow a small event venue within the General Commercial (GC) District. **WITH THE FOLLOWING CONDITIONS:**

1. The applicant must adhere to the City of Forest Park, GA Zoning Ordinance Parking standards outlined in Section 8-8-90.
2. The applicant will provide a letter of approval/consent from neighboring businesses providing consent of type of business to ensure no disruption of the current tenant/businesses.
3. The applicant will provide written policy to guests on limited parking spaces.
4. Violation of these conditions will result in the loss of the conditional use permit and associated business licenses.

**STAFF REPORT-Text Amendment****Public Hearing Date: September 21, 2023****City Council Meeting: October 2, 2023****Case:** TA-2023- 05**Proposed Request:** Text Amendment to the City of Forest Park Code of Ordinance**Staff Report Compiled By:** LaShawn Gardiner, Director**PROPOSED TEXT AMENDMENT**

A text amendment is being proposed for Article A-General Provisions, Section 8-2-2 Permits (F) (1), so that churches are no longer exempt from paying building inspection permit fees for construction.

**BACKGROUND**

It has been found in the current code, more specifically, Article A-General Provisions, Section 8-2-2 Permits (F) (1), that churches are exempt from paying building inspection permit fees for construction that occurs in the City of Forest Park. Due to churches not paying the building inspection permit fee for construction, it may lead to such structures either not being inspected, which is a safety issue and concern, however, the entity can hire a third-party inspector to inspect the property and the city can request a copy of that inspection report. Currently our building inspector, Charles Abbot & Associates, does not inspect churches because the city does not collect a building permit fee based on the language of the code section identified, and Charles Abbot & Associates bills the city on the number of inspections performed.

**Current Language of Article A-General Provisions, Section 8-2-2:****Sec. 8-2-2. Permits.**

- (a) Any person obtaining a permit for the construction, repair or demolition of any structure shall, at the time of making application for such permit, list the name and address of the person or business securing such permit, and the names and addresses of all contractors and subcontractors who shall perform any service in connection with the construction, repair or demolition of the structure for which such permit is sought. If, at the time of applying for such permit, any of such contractors and subcontractors have not been employed or contracted with, then upon the employment or entering into the contract with such contractors and subcontractors and before the performance of any service by same, such person shall immediately list their names and addresses on the form to be secured from the building inspector and file same with the building inspector.
- (b) No permit covering electrical, plumbing or mechanical installations and fixtures shall be issued to a contractor who does not possess a current certification and license from the state construction industry licensing board, provided that nothing in this section shall prevent a homeowner from installing or maintaining electrical, plumbing or mechanical work within his own property boundaries provided the work is done by himself and is used exclusively by him and his family. This owner's privilege does not convey the right to violate any of the provisions of this chapter, neither is it to be construed as exempting the property owner from obtaining a permit and having the work inspected nor from paying the required fees therefor.
- (c) In addition to the inspection of building sewer lines and connections required under the plumbing code and performed by the building inspector, final approval of line installations shall be conditional on the inspection

and approval of sewer lines from point of connection to within five (5) feet of the building by the director of public services, or his designated representative.

- (d) Permits issued for the installation of fireplaces or wood burning stoves shall require final inspection and approval by the city fire marshal.
- (e) For all permits as set forth in this article, a fee shall be charged, which fee or fees shall be determined by a resolution of the mayor and council, which resolution shall be maintained on file in the office of the city clerk.

***(f) (1) Churches shall be exempt from paying building inspection permit fees for construction occurring within the incorporated city limits of the City of Forest Park.***

- (2) For the purposes of this subsection, a church shall be defined as: A place used primarily for religious worship which is not used for the purpose of producing private or corporate profit and income distributable to shareholders in corporations owning such property or to other owners of such property and where any income from such place shall be used exclusively for religious, educational or charitable purposes and/or for the purpose of maintaining the religious, educational, and/or charitable place of worship.

The following amendment is proposed to replace the current language:

**ARTICLE A-General Provisions, Section 8-2-2 Permits (F)(1)**

(f)(1) Churches shall pay building inspection permit fees for construction occurring within the incorporated city limits of the City of Forest Park.

This amendment will provide the following:

1. Alleviate safety issues and concerns,
2. Allow the city or its designated building inspector to inspect such properties without having to depend on inspections from a third-party inspector, and
3. Allow the city to maintain sufficient records of such inspections.

This amendment will assist in ongoing revenue recovery efforts while addressing the need for such construction projects to be inspected by a city official. Staff recommends approval of this text amendment.