

# Staff Report – Variance

Public Hearing Date: June 20, 2025

**Case:** VAR-2025-07

**Current Zoning:** Single Family Residential District (RS), Proposed Two Family Residential District (RT) District

**Council Ward:** 3

**Proposed Request:** Variance Request to allow the reduction of the side yard setback from the required ten (10) feet to eight and a half (8.5) feet, and to reduce the required rear yard setback from thirty (30) feet to five and two-tenths (5.2) feet to allow for the construction of a two-family home on a property currently located within the Single-Family Residential District (RS), with a proposed zoning change to the Two-Family Residential District (RT), in Ward 3

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

**Staff Recommendation:** Approval of variance with conditions

## APPLICANT INFORMATION

**Owner of Record:**

**Name:** Terrell Rental Properties, LLC  
449 Trousseau LN  
McDonough, GA 30252

**Applicant:**

Tony Terrell  
5116 Sargent Street  
Forest Park, GA 30297

## PROPERTY INFORMATION

**Parcel Number:** 13080A E005

**Acreage:** 0.208 +/-

**Address:** 5116 Sargent Street.

**FLU:** Low Density Residential

## ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

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

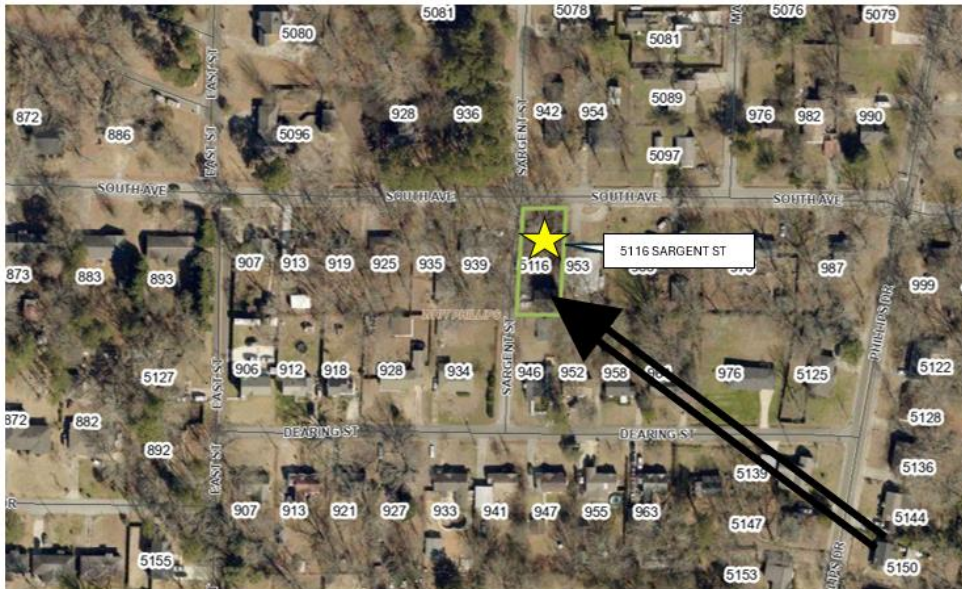
## SUMMARY & BACKGROUND

The subject property, located at 5116 Sargent Street, is situated within the Single-Family Residential (RS) District on an approximately 0.208 +/-acre lot. In accordance with Section 8-8-29 of the zoning code, the property is currently subject to RS district standards. The applicant is requesting approval of a variance in conjunction with a proposed rezoning from RS to RT (Two-Family Residential) zoning. Pursuant to Section 8-8-31, properties within the RT District must meet specific development standards.

Based on the submitted site plan, the applicant is seeking a variance to reduce the left side yard setback from the required 10 feet to 8.5 feet, as well as a reduction in the rear yard setback from the required 30 feet to 5.2 feet. These reductions are necessary to accommodate the footprint of the proposed two-family residential structure. Additionally, the site plan demonstrates that each unit will meet the required parking capacity of two vehicles per unit.

The applicant appeared before the Planning Commission on May 16, 2025, and received approval for the proposed rezoning. The request is scheduled to go before the Mayor and Council for final approval on June 16, 2025. Approval of this variance will allow the applicant to proceed with the development of a two-family residential structure that aligns with the intended land use of the RT zoning district, while addressing site constraints and maintaining compatibility with surrounding development patterns.

## 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 reduce the left side yard setback from 10 feet to 8.5 feet and the rear yard setback from 30 feet to 5.2 feet, as shown on the submitted site plan, to accommodate the proposed two-family residential structure.

**Conditions of approval include** the following:

1. The development shall substantially conform to the site plan submitted with the variance application.
2. Each residential unit shall provide a minimum of two off-street parking spaces, in compliance with RT zoning standards.
3. Any future modifications to the structure or site layout that impact setback requirements will require further review and approval by the Planning Commission and/or appropriate reviewing body.

The proposed variances are considered reasonable due to the lot's size and configuration and will not adversely affect adjacent properties or the overall intent of the RT zoning district.

#### Attachments Included

- Justification Letter