



CITY OF FOREST PARK

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

Staff Report – Variance

Public Hearing Date: February 15, 2024

Case: VAR-2024-02

Current Zoning: Multiple-Family Residential District (RM)

Proposed Request: Variance Request to increase the maximum allowed dwelling units per acre from 16 dwellings units per acre to allow the construction of 8 additional townhome units for a total construction of 32 townhomes on a 1.55+/- acre lot, to decrease the minimum required side yard setback from 25 ft to 10 ft, and to decrease the minimum distance between buildings from the requirement of 20 ft to allow a minimum distance between buildings of 10 ft to construct a 32-unit townhome development on Main Street.

Staff Report Compiled By: SaVaughn Irons, Principal Planner

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record:

Name: Cultivate Communities

Address: 1075 Peachtree Street, NE, Suite 6 #570248

City/State: Atlanta, Georgia 30318

Applicant:

Name: Frank Bailey

Address: 1075 Peachtree Street, NE, Suite 6 #570248

City/State: Atlanta, GA 30309

PROPERTY INFORMATION

Parcel Number: 13050B L001A, L002 – L007

Acreage: 1.55+/-

Address: 803, 805, 829, 837, 845, 847, 861 Main Street. **FLU:** Institutional, Commercial
Forest Park, GA 30297



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ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	DM: Downtown Mainstreet District	East	DM: Downtown Mainstreet District
South	IC: Institutional Commercial District	West	DM: Downtown Mainstreet District

SUMMARY & BACKGROUND

The subject property is a vacant lot located north of the railroad tracks between Forest Parkway and Main Street, and the corners of Lake Drive and Ash Street, with approximately 1.55 acres. The applicant is requesting a variance to increase the maximum allowed dwelling units per acre so that eight (8) additional townhomes can be constructed for a total number of thirty-two (32) units. There is also a request to decrease the minimum required side yard setback from the required 25ft to 10ft and, decrease the minimum distance between buildings from the requirement of 20ft to allow a minimum distance between buildings one (1) and two (2) of 10 ft and a minimum distance between buildings three (3) and four (4) of 10ft. The applicant does meet the minimum building distance requirement between buildings two (2) and three (3) measuring 25ft, which is a median point. The reason for this request is to allow the construction of thirty-two (32) townhomes in the Multiple-Family Residential District (RM). Per **Sec. 8-8-32. - Multiple family residential district (RM)** The city should promote a maximum density of sixteen (16) dwelling units per acre. Per the zoning ordinance, the maximum density allowed per acre and the approximate acreage of 1.55 +/- acres, the applicant will need a variance to allow an additional eight (8) units to be constructed to meet their development needs.

Per **Sec. 8-8-33. - Multiple family residential district (RM) Standards** the minimum required side yard setback is 25 feet and the required minimum distance between buildings is 20 feet. With the start of this project, the applicant originally submitted plans to construct twenty-four (24) townhome units, but after past meetings with the previous City administration, the number of proposed townhome units were increased to thirty-two (32) units to promote more density on Main Street. With this development being located in the downtown Mainstreet district area, the contiguous properties are not required to have any lot lines, and the applicant is able to build townhomes to meet that zero-lot line need, for a more modern, walk up, look, and feel. Increasing density will promote the creation of a stronger and more accessible downtown core, allowing more walkability and providing a greater urbanized look and feel for the area. The efforts of the additional increased density will also revitalize the City of Forest Park housing stock in the downtown Mainstreet District (DM) area. The applicant has submitted a Preliminary Plat to staff, as well as a lot combination and lot split application.



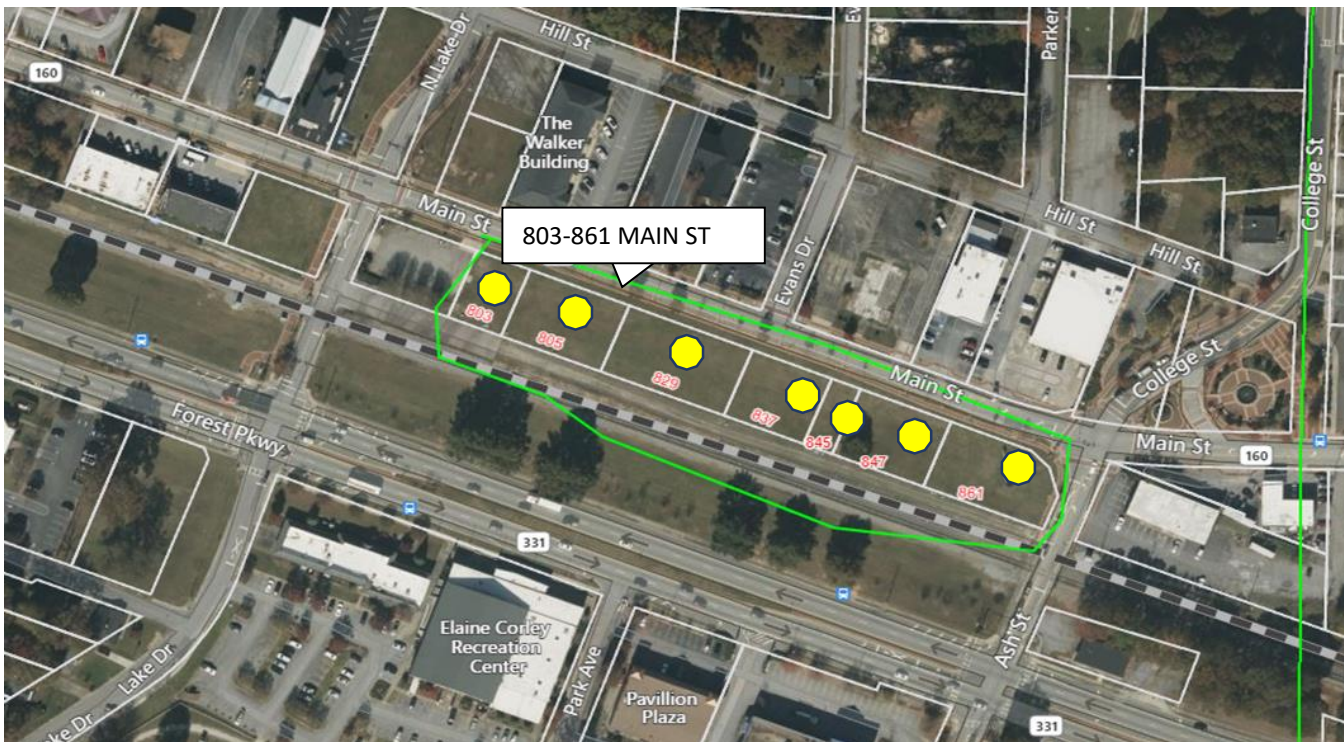
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If this variance request is approved, it will allow the applicant to move forward with their development plans to construct thirty-two (32) newly developed townhome units within the Multiple family residential District on Main Street.

AERIAL MAP



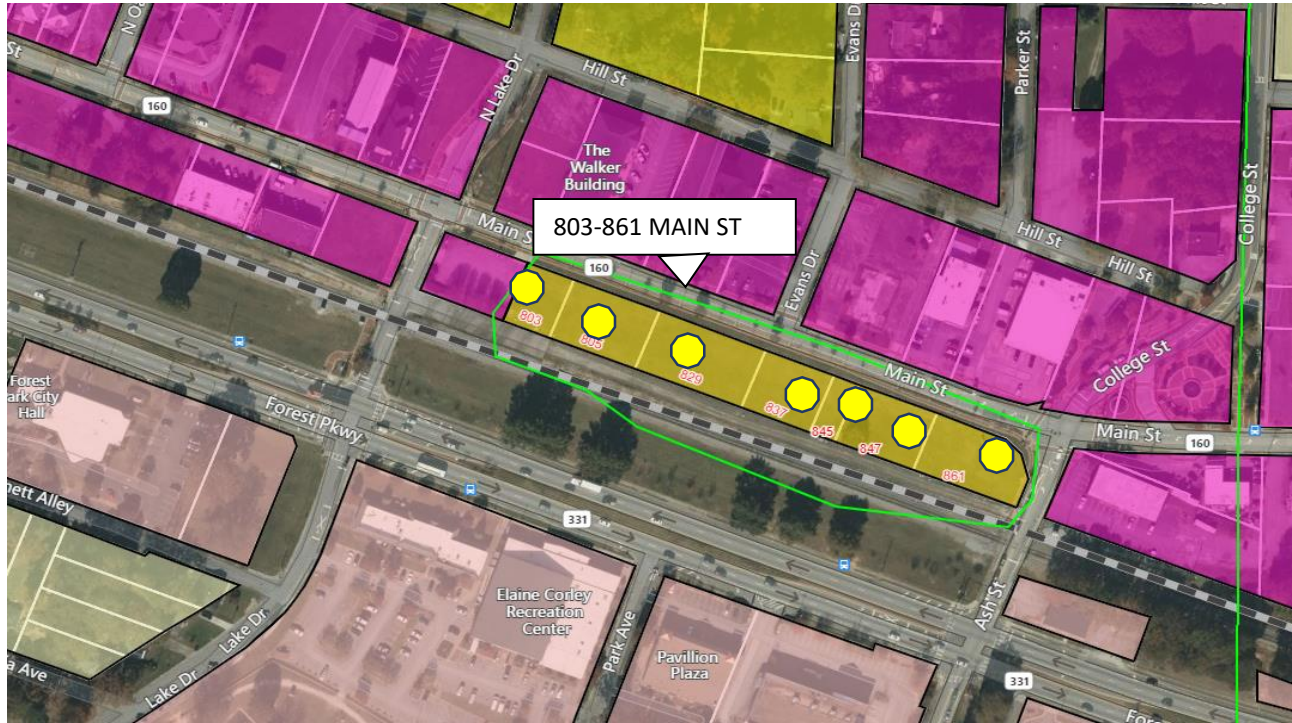


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ZONING MAP





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SITE PLAN

VICINITY MAP
NTS

GRAPHIC SCALE
1" = 100' 0"

WTLTY ENGINEERING
INC.
1000 W. 10TH STREET
DUNWOODY, GA 30115
TEL: (770) 454-1234

WATER NOTE
SEE SEWER AND WATER NOTES FOR ALL UTILITIES.

SANITARY SEWER NOTE
SEE SEWER AND WATER NOTES FOR ALL UTILITIES.

NOTE
ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF FOREST PARK SUBDIVISION REGULATIONS.

SITE DATA

CAUTION
THE UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

OWNER'S ACKNOWLEDGEMENT
STATE OF GEORGIA
CITY OF FOREST PARK
CLAYTON COUNTY

The owner of record of the land shown on this plan and whose name is substituted therein, in person or through a duly authorized agent, hereby acknowledges that this plan and notes hereon are actual, correct, and true, and that the same are intended to be dedicated to the public, and dedicated to the City of Forest Park, the complete ownership and use of all public streets and dedicated rights-of-way specifically shown as public streets and dedicated rights-of-way, and dedicated to the use of the public for the following:

Public Streets: _____

Public Sewer Excessions: _____

Public Drainage Excessions: _____

Public Parks/Open Space: _____

Public Utility: _____

Signature of Subdivider: _____ Title: _____

Signature of Owner of Record: _____ Title: _____

Date: _____ Date: _____

This plan is subject to the covenants set forth in the separate instrument(s) as recorded in Deed Book _____ Page(s) _____ which hereby becomes a part of this plan.

WHICH SUBDIVISION PLAN APPROVAL
The Director of Planning, Building & Zoning for the City of Forest Park, Georgia, certifies that this plan complies with the City of Forest Park Zoning Ordinance and the City of Forest Park Subdivision Regulations as amended.

For the Director of Planning, Building & Zoning: _____ Date: _____

PROJECT DATE: _____ DESCRIPTION: _____

PROJECT NO.: _____ SHEET: 1-2

VICINITY MAP
NTS

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For the Director of Planning, Building & Zoning: _____ Date: _____

PROJECT DATE: _____ DESCRIPTION: _____

PROJECT NO.: _____ SHEET: 2-2



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SITE PHOTOS





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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** to allow the construction of 8 additional townhome units, decrease the side yard setback to 10ft instead of the required 25 ft and allow a minimum distance between buildings one (1) and two (2) and three (3) and four (4) of 10ft instead of the required 20 ft within the Multiple- Family Residential District, which will allow a total number of 32 townhome units to be constructed. 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