



CITY OF FOREST PARK

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

STAFF REPORT – VARIANCE

Public Hearing Date: August 18, 2022

Case: PC-2022-06

Current Zoning: RS – Single-Family Residential

Proposed Request: Variance to increase the building height and reduce the side yard setback requirements.

Staff Report Compiled By: Caity Chandler

Staff Recommendation: Denial of Variance

APPLICANT INFORMATION

Owner of Record:

Name: Ever Alexander Bonilla
Address: 5566 Pineridge Place
City/State: Forest Park, Georgia 30297

Applicant:

Name: Ever Alexander Bonilla
Address: 5566 Pineridge Place
City/State: Forest Park, Georgia 30297

PROPERTY INFORMATION

Parcel Number: 13082D A005

Address: 5566 Pineridge Place

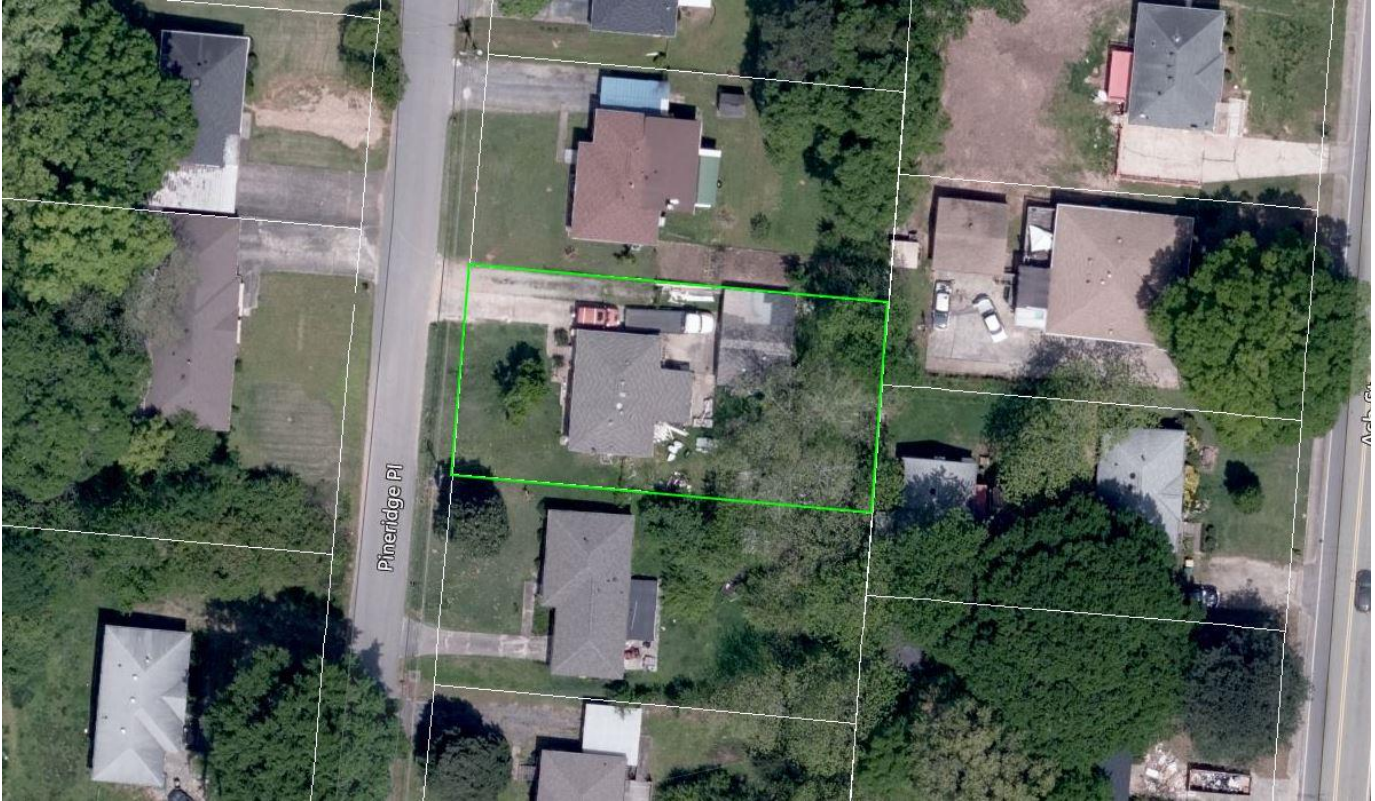
Acreage: 0.26

FLU: Single-Family Residential

FINDINGS OF FACT

The applicant is requesting a variance to increase the building height and decrease the side yard setbacks. The applicant constructed a 20+ foot addition to an existing accessory structure in his backyard at 5566 Pineridge Place. This accessory structure exceeds the 15-foot maximum height requirements for accessory structures. The structure was also placed approximately 2 feet from the side property line. The minimum distance between accessory structures and side property lines is 10 feet. Additionally, the combined area of the existing accessory structure and the two-story addition is, in total, more than 100% of the area of the primary structure. The maximum allowable area for accessory structures is 50% the area of the primary structure.

AERIAL MAP



ZONING MAP



Property Downtown Mainstreet (DM)

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use		Direction	Zoning & Use
North	RS – Single-Family Residential Private Residence		East	RS – Single-Family Residential Private Residence
South	RS – Single-Family Residential Private Residence		West	RS – Single-Family Residential Private Residence

SITE PHOTOS – 7/14/2022



SITE PLAN

SURVEYOR'S NOTES:

1. GROUND SURVEY, SURVEY STAKES AND OTHER BARRIED UTILITIES MAY HAVE BEEN COVERED OR COVERED OVER THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADJACENT BARRED UTILITIES MAY BE COVERED OR COVERED OVER. THE SURVEYOR HAS MADE AN ATTEMPT TO LOCATE BARRED UTILITIES BEFORE EXCAVATION ARE BEGUN. CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EVIDENCE OF RECORDS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR FIRM, PERSONS OR FIRM THAT HAS ACQUIRED THIS PROPERTY AND FOR THE PERSONS OR FIRM, PERSONS OR FIRM THAT HAS ACQUIRED RESTRICTION OF THE SURVEYOR MAKING SUCH PERSON, PERSONS OR FIRM.
4. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
5. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
6. ALL REAR SETBACK 1/2" REAR UNLESS OTHERWISE NOTED.
7. THE EXISTENCE, SIZE AND LOCATION OF UNBARRIED UTILITIES ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY, DISCLOSE.

LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- O.H.P. OVERHEAD POWER LINE
- P.2. POWER POLE
- L.L.L. LAND LOT LINE
- I.P.F. 1/2" IRON PIN FOUND
- I.P.S. 1/2" IRON PIN SET
- O.T.F. OPEN TOP FOUND
- T.L.P. TAPING LIGHT POLE
- C.L. CENTER LINE
- C.P. CORNER POINT
- N.M. WATER METER
- G.W. GUY WIRE
- E/B. ELECTRIC BOX
- T/B. TELEPHONE BOX
- C/B. CABLE BOX
- S.M. SIGNAL MOUNT
- C.T.M. CABLE TIE MOUNT
- T.P. TAPING LIGHT POLE
- A.P. ANGLE IRON FOUND
- C.P. COMPUTER POINT

NOTE:

THE FIELD DATA, UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 69,380 FEET AND AN ABSOLUTE ERROR OF 00.0006 PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACQUAITE WITHIN 1: 183,383 FEET.

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION. THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.



FLOOD STATEMENT

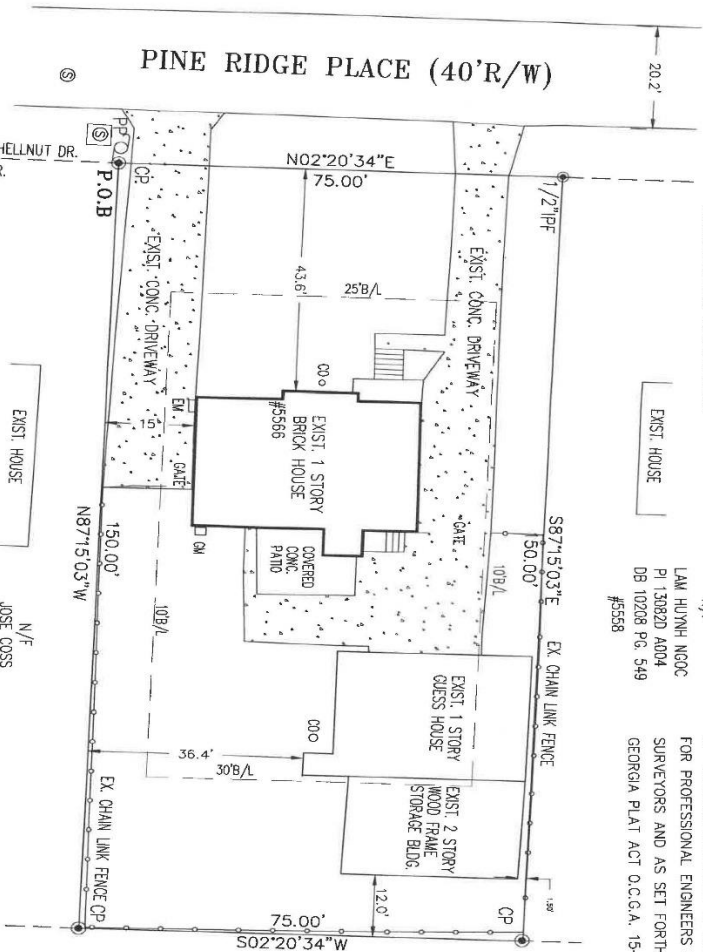
NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.A. OFFICIAL FLOOD HAZARD MAP PANEL # 13053007F DATE 6/7/2017

INSTRUMENT USED:

NIKON DTM-520 TOTAL STATION

N/F
LAW HUYAN NGOC
PI 130820 A004
DB 10208 PG. 549
#5558

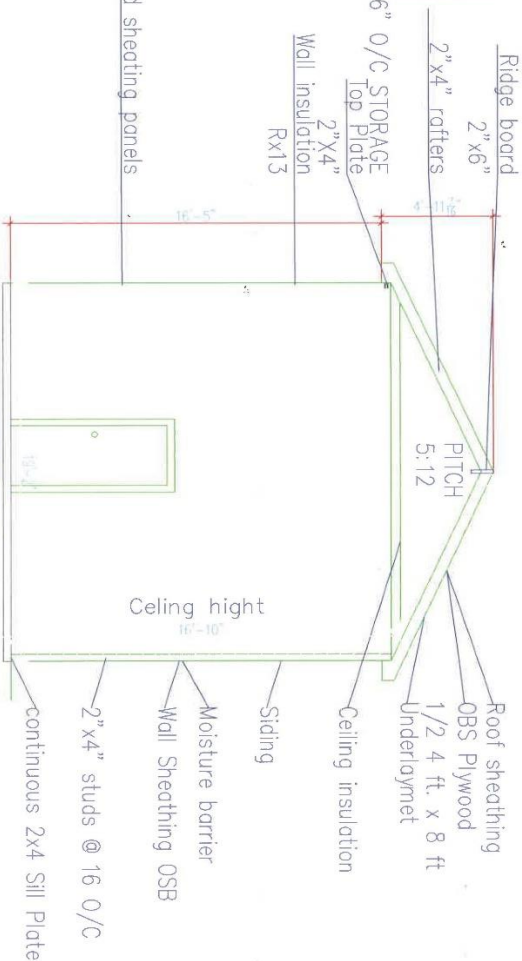
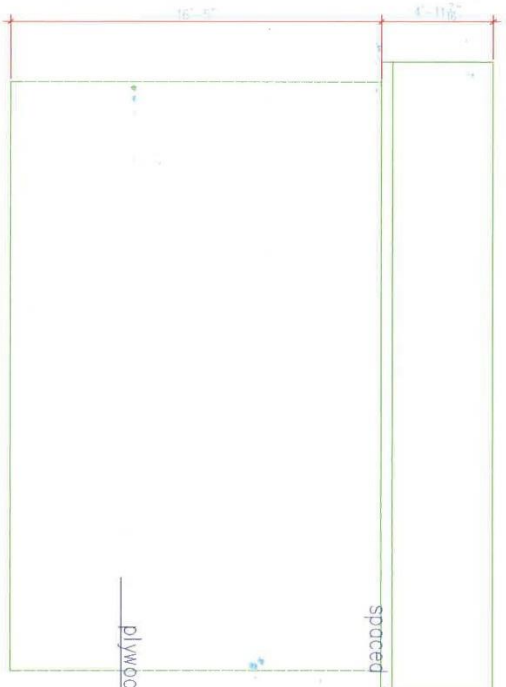
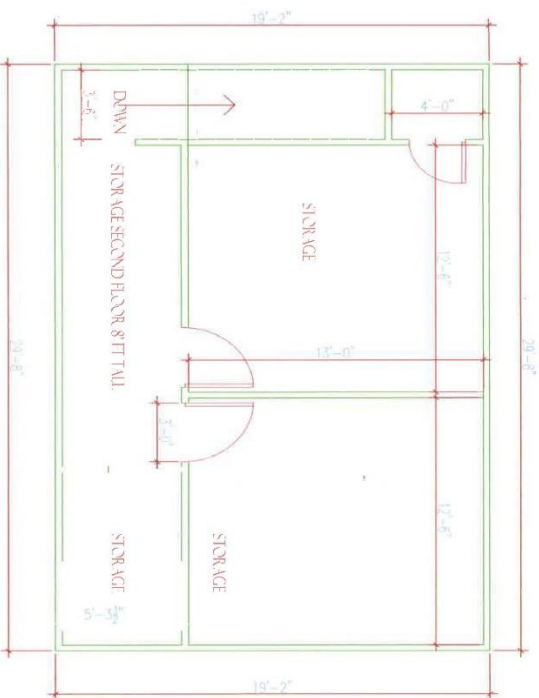
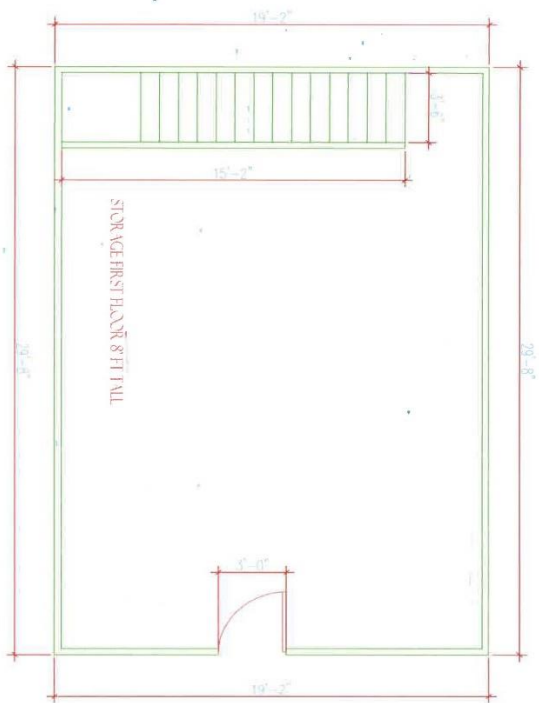
THE SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67



LOT AREA
11,250 sq.ft.
0.258 acres
ZONED RS

HURD PRINCE & ASSOCIATES, INC.
Consulting Planners & Surveyors
110 MLK SR HERITAGE TRAIL
STOCKBRIDGE, GEORGIA 30281-3424
Phone (678)-782-7737 CELL (404) 372-7304

BOUNDARY SURVEY OF EXISTING CONDITION FOR: ALEXANDER BONILLA
5566 PINERIDGE PLACE
FOREST PARK GA. 30297
PI 130820 A005
LL 82 13th DISTRICT
CLAYTON COUNTY GEORGIA
SCALE 1" = 20' DATE SURVEY PLAT 4/19/22
JOB # 27610



EVER BONILLA (5566 PINERIDGE PLACE FOREST PARK GEORGIA 30297)

EVER BONILLA (5566 PINERIDGE PLACE FOREST PARK GEORGIA 30297)

LAYOUT
 Scale: 3/16" = 1'-0"

VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this ordinance where permitted under this Ordinance, 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;
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; and
3. The strict application of the terms of this ordinance will result in a 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.

Applicant Response

“I am building the storage on rear of my property but the height is 16’5” instead 15’8” also the property line is according with the existing building previously when I bought (left side).”

STAFF RECOMMENDATION

Staff recommends **DENIAL** of a variance to increase the building height and reduce the side yard setback requirements. The height of the accessory structure exceeds the height of the primary structure, it is 8 feet too close to the property line, and the total area of the accessory structures is more than 100% of the total area of the primary structure. Additionally, the use and value of the area adjacent to the property included in the variance could be affected in a substantially adverse manner due to the height, size, and the proximity to the side property line of the accessory structure.

Attachments Included

- Site Plans