

Staff Report – Variance

Public Hearing Date: July 17, 2025

Case: VAR-2025-10

Current Zoning: General Commercial (GC) District

Council Ward: 1

Proposed Request: Variance to reduce the rear yard setback from the required thirty (30) feet to twenty-five (25) feet, an increase in the maximum lot coverage from the required seventy percent (70%) to seventy-six percent (76%), and a reduction in the required parking from fifty-eight (58) spaces to twenty-nine (29) spaces to permit the construction of a gasoline service station with an attached restaurant suite/business space in the General Commercial (GC) District, located in Ward 1.

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

Staff Recommendation: Approval of variance with conditions

APPLICANT INFORMATION

Owner of Record:

Name: HOUDINI ENTERPRISES LLC
4884 COLLEGE ST
FOREST PARK, GA 30297

Applicant:

Robert King
3953 Jonesboro Road
Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13015A A001

Acreage: 1.33 +/-

Address: 3953 Jonesboro Road

FLU: Commercial

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

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

SUMMARY & BACKGROUND

The subject property is a vacant, tree-covered parcel located at 3953 Jonesboro Road, within Ward 1. It is situated west of Jonesboro Road and south of Ruskin Drive, and consists of approximately 1.33 +/- acres within the General Commercial (GC) District. According to Section 8-8-41 of the Zoning Code, properties in the GC District must comply with specific development standards, including rear yard setbacks, maximum lot coverage, and minimum parking requirements as outlined in Section 8-8-90 (Parking Standards).

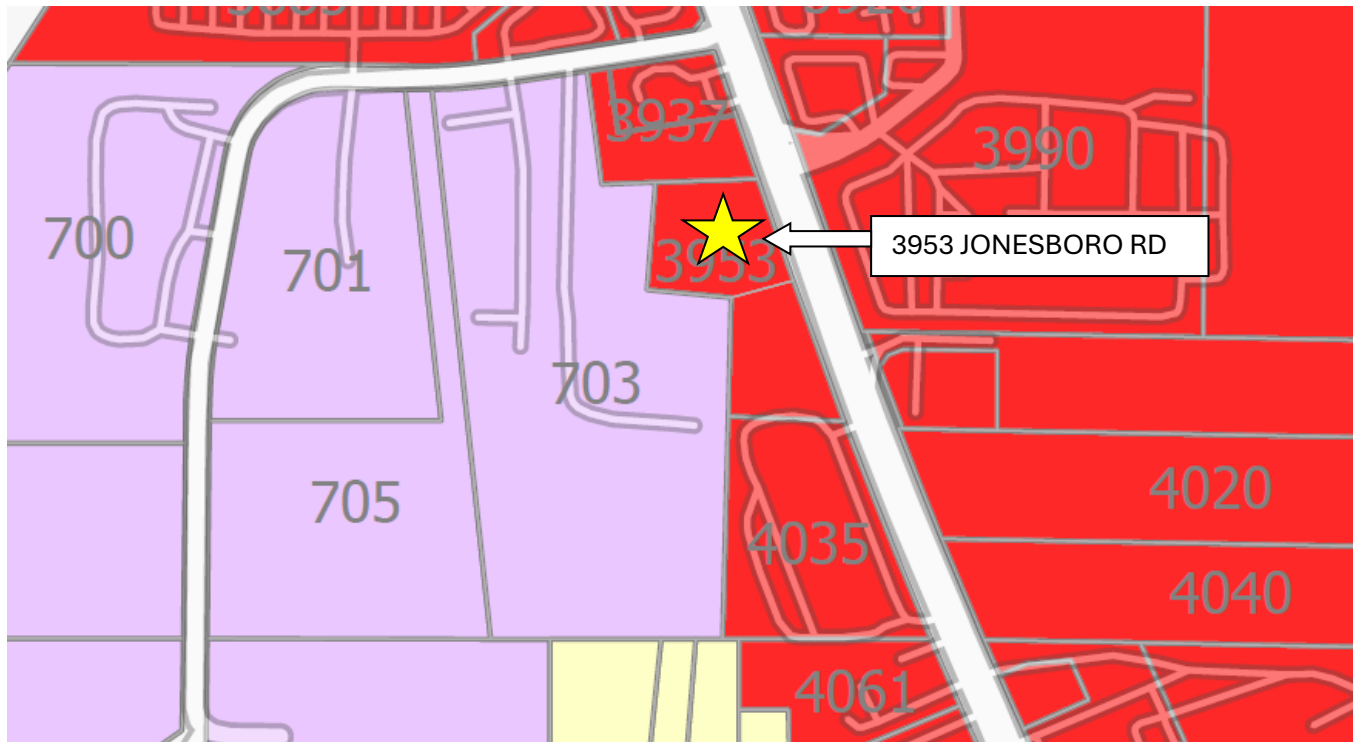
The developable area of the site is approximately 0.99 acres, with 300 feet of frontage along Jonesboro Road. The parcel's irregular shape with size dimensions of approximately 116.5 feet to the north, 210 feet to the south, and a 245-foot rear property line—creates site design challenges that impact building placement and internal traffic circulation. To accommodate a functional site layout and ensure safe vehicular movement, the applicant is requesting the following variances: a reduction in the required rear yard setback from thirty (30) feet to twenty-five (25) feet; an increase in the maximum allowable lot coverage from seventy percent (70%) to seventy-six percent (76%); and a reduction in the required number of parking spaces from fifty-eight (58) to twenty-nine (29). These variances are necessary to support the construction of a gasoline service station with an attached restaurant suite or commercial tenant space.

Staff notes that the requested variances are intended to address the physical constraints of the site while allowing a commercial development that aligns with the purpose and intent of the General Commercial (GC) District. Approval of these variances would support compatible land use within the corridor, promote reinvestment in a vacant parcel, and contribute to economic development efforts within Ward 1.

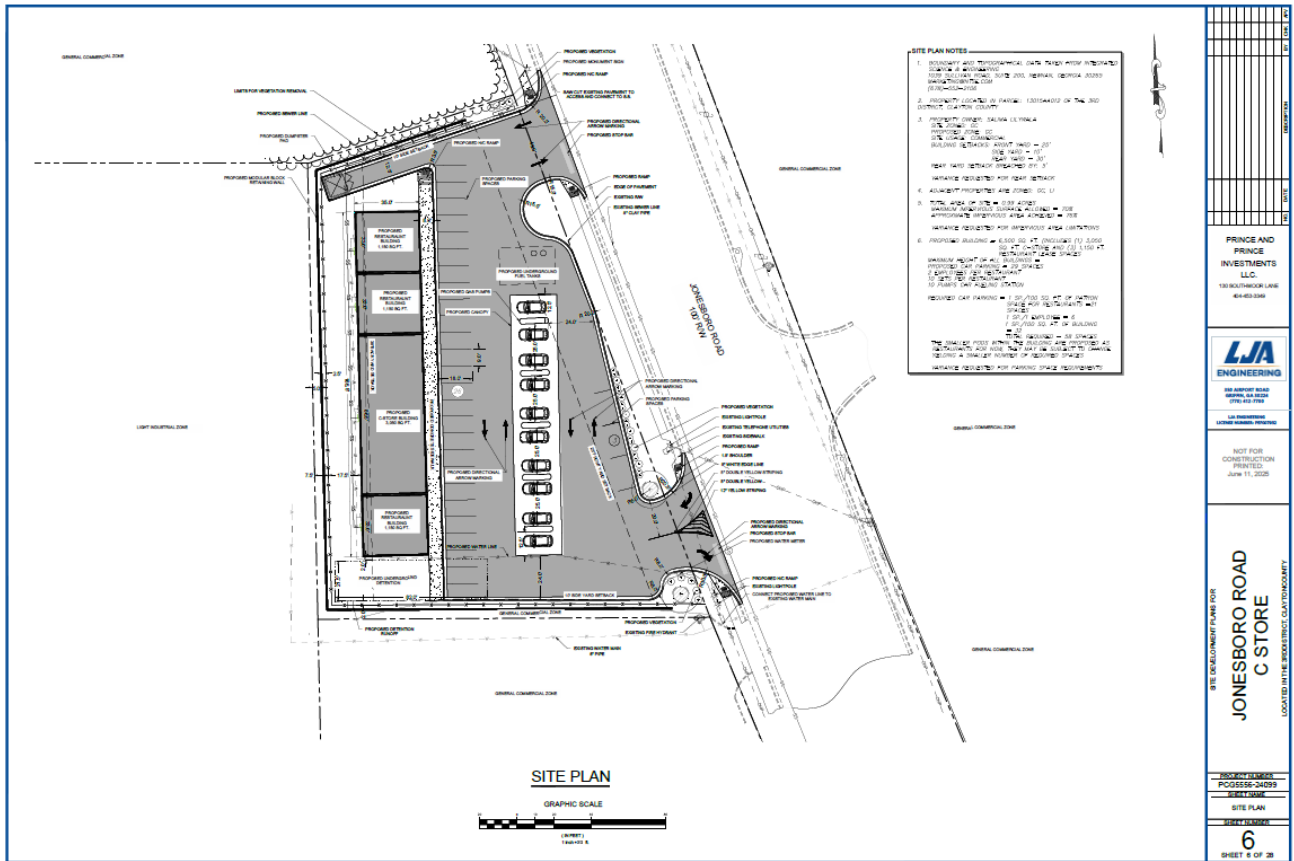
AERIAL MAP



ZONING MAP

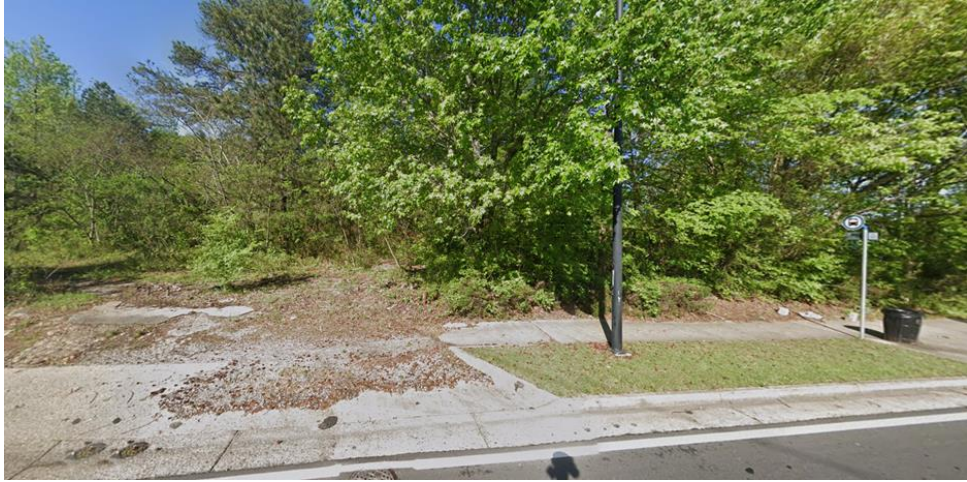


SITE PLAN



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 with conditions of the variance to reduce the rear yard setback from thirty (30) feet to twenty-five (25) feet, increase the maximum lot coverage from seventy percent (70%) to seventy-six percent (76%), and reduce the required number of parking spaces from fifty-eight (58) to twenty-nine (29) to allow for the construction of a gasoline service station with an attached restaurant suite or business space, subject to the following conditions:

1. **Site Plan Compliance:** Development shall substantially conform to the site plan submitted with the variance application, including building placement, driveway access, and circulation patterns, subject to minor modifications approved by the Planning Director to ensure compliance with zoning and development standards.
2. **Landscaping and Buffering:** The applicant shall provide enhanced landscaping along the rear property line and side boundaries, subject to review and approval by the Planning Department, to mitigate any potential visual or noise impacts on adjacent properties.
3. **Parking Management:** A shared parking or parking management plan shall be submitted and approved by the Planning Director demonstrating that the reduced number of parking spaces will adequately serve the proposed use, including strategies to minimize on-site congestion and ensure adequate circulation.
4. **Building Design and Materials:** Architectural elevations and building materials shall be reviewed and approved by the Planning Department to ensure compatibility with surrounding development and adherence to applicable design guidelines for the General Commercial District.
5. **Lighting and Security:** A site lighting plan shall be submitted and approved by the Planning Department. Lighting shall be shielded to prevent glare on adjacent properties and roadways and shall comply with local lighting standards.

6. **Use Restrictions:** The property shall be developed only as a gasoline service station with an attached restaurant or commercial tenant space as described in the variance application. Any significant change in use may require a new variance or administrative review.
7. **Urban Design Review Board (UDRB) Approval:** Prior to any consideration or approval of the gasoline service station use, the applicant shall submit architectural renderings and material samples for review and approval by City staff. The applicant must apply for and receive formal approval from the Urban Design Review Board (UDRB) for the site's overall design, building façade, landscaping, and buffer treatments. No permits shall be issued for site development or construction until UDRB approval has been obtained.
8. **All Applicable Regulations:** The applicant shall comply with all other applicable local, state, and federal regulations, including fire code, stormwater management, signage, and access requirements as determined by the relevant reviewing departments.

Attachments Included

- Justification Letter