



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: September 15, 2022

Case: PC-2022-08

Current Zoning: RS Single Family Residential

Proposed Request: Variance to reduce the minimum setback requirement between an accessory structure and the main structure from the required ten feet to four feet.

Staff Report Compiled By: Caity Chandler

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record:

Name: Jose Carmen Perez
Address: 1234 Lloyd Drive
City/State: Forest Park, GA 30297

Applicant:

Name: Jesus Perez
Address: 1234 Lloyd Drive
City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13048D C005

Address: 1234 Lloyd Drive

Acreage: 0.24

FLU: Single Family Residential

SUMMARY

The applicant, Jesus Perez, is requesting a variance to reduce the minimum setback requirement between an accessory structure and the main structure from the required ten feet to four feet as part of a pavilion construction project.

BACKGROUND

The subject property is zoned RS Single-Family Residential. In this district, accessory structures must be placed no less than 10 feet from the main structure. The applicant constructed a pavilion in the rear yard of his property without a permit. The unpermitted structure was built four feet from the main structure; ten feet is required. The applicant is requesting a variance to reduce the minimum setback requirement of ten (10) feet to four feet to accommodate for this pavilion.

AERIAL MAP



ZONING MAP



Property Single Family Residential (RS)

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

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

SITE PHOTOS

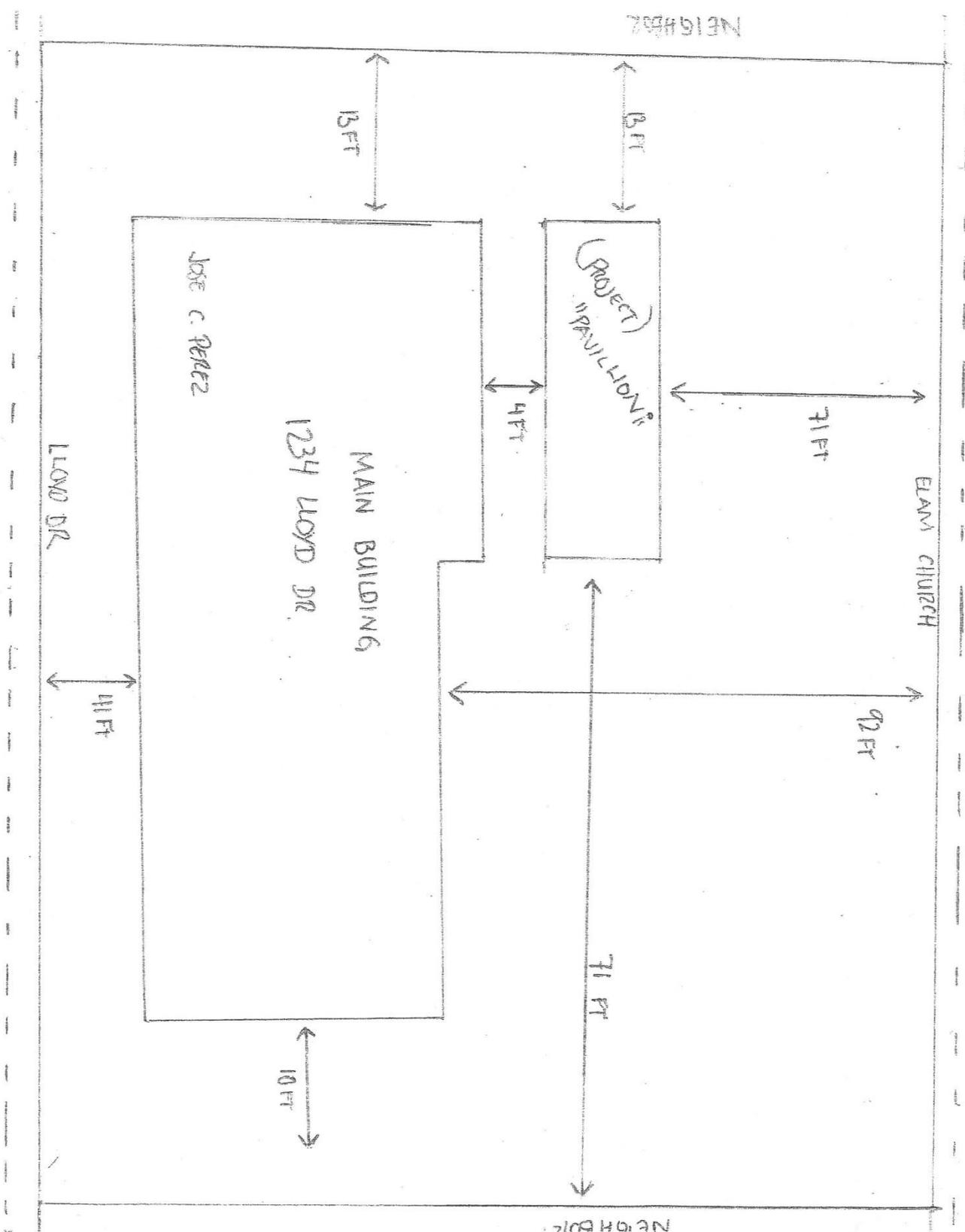
8/23/2022



6/13/2022



SITE PLAN



VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this ordinance were 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 Jesus Perez inform you that I started on a construction of a pavilion, in the property of my father Jose Carmen Perez, because he was visiting in Mexico, and we will give a surprise upon his return to USA, this address 1234 Lloyd Dr Forest Park GA 30297, I thought that no permit was needed for the construction inside of the property, for that I apologize for starting this project without authorization from the city of Forest Park, I hope you will allow me to continue the construction of the gift for my dad since we are very lithe to finish. I appreciate your understanding, and accept my sincere apologies.

Thank you.

Jesus Perez

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of a variance to reduce the setback requirement between the accessory structure and the main structure from ten feet to four feet to accommodate for this pavilion. 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 with the following condition: If the Planning Commission approves the Variance, the applicant must apply for and receive a building permit to construct and complete the pavilion.

Attachments Included

- Application
- Justification Letter