

**STATE OF GEORGIA
CITY OF FOREST PARK
COUNTY OF CLAYTON**

ORDINANCE RZ-2025-07

1 AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF
2 FOREST PARK, GEORGIA, BY REZONING THAT CERTAIN PARCEL OF REAL
3 PROPERTY LOCATED AT 5116 SARGENT STREET IN WARD 3; TO PROVIDE FOR
4 SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN
5 EFFECTIVE DATE; AND FOR ALL OTHER LAWFUL PURPOSES.

6 **WHEREAS**, the duly elected governing authority of the City of Forest Park,
7 Georgia (hereinafter the “City”) is the Mayor and Council thereof; and

8 **WHEREAS**, the governing authority is authorized by its Charter to regulate zoning
9 within the limits of the City; and

10 **WHEREAS**, the subject parcel of real property consists of approximately 0.208+/-
11 acres located at 5116 Sargent Street, according to the present system of numbering property
12 in Forest Park, Clayton County, Georgia (Tax Parcel Identification Number: 13080A E005)
13 (the “Property”); and

14 **WHEREAS**, the Property is currently zoned as RS (Single Family Residential);
15 and

16 **WHEREAS**, the owner (“Applicant”) of the Property filed an application
17 requesting the governing authority to rezone the Property to RT (Two-Family Residential
18 District); and

19 **WHEREAS**, the Planning Commission recommend approval of the application
20 subject to certain conditions included in the City Staff Report and said report is hereby
21 incorporated by reference herein; and

22 **WHEREAS**, the governing body of the City has considered the criteria of a
23 rezoning request, provided in Section 8-8-186 (Zoning Amendment Process) of Article G
24 (Zoning Amendments) in Chapter 8 (Zoning) of the Code of Ordinances, City of Forest
25 Park, Georgia; and

26 **WHEREAS**, the City has complied with the notice and hearing requirements
27 pursuant to O.C.G.A. § 36-66-1 *et seq.*; and

28 **WHEREAS**, the health, safety and welfare of the citizens of the City will be
29 positively impacted by the adoption of this Ordinance.

30 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
31 **THE CITY OF FOREST PARK, GEORGIA**, and by the authority thereof:

32 **Section 1.** That certain parcel of real property consisting of approximately 0.208+/-
33 acres located at 5116 Sargent Street, according to the present system of numbering property
34 in Forest Park, Clayton County, Georgia (Tax Parcel Identification Number: 13080A E005)
35 is hereby rezoned to RT (Multiple Family Residential). Such rezoning is to be noted on the
36 official City of Forest Park Zoning Map and Future Land Use Map approved by Mayor and
37 Council (“Zoning Map”), as soon as reasonably possible following adoption of this
38 Ordinance along with an editorial note on the map specifying the parcel affected by this
39 Ordinance and the date of its adoption. Until this rezoning is indicated on the Zoning Map,
40 this Ordinance shall govern to the extent of any discrepancy between this Ordinance and
41 the Zoning Map. This rezoning is subject to the following conditions:

1. Use Limitation: The property shall be limited to a maximum of two dwelling units and shall not be further subdivided or converted into any form of multi-family or short-term rental use.
2. Occupancy and Licensing: The applicant shall obtain all necessary occupancy permits, inspections, and business licensing (if applicable) prior to any residential use of the second unit. Any changes or deviations from the approved plans shall be submitted to the Planning Commission for approval.
3. Architectural Review Compliance: The applicant will be required to apply to the Urban Design Review Board for review and approval of the landscaping, exterior architectural design, and the building façade. Any future exterior modifications or additions shall require review and approval by the Urban Design Review Board (UDRB) to ensure compatibility with surrounding properties.
4. Tax Record Update: Should the rezoning be approved, the applicant would be required to coordinate with Clayton County to update the property classification and structure details in the official tax records to reflect its current two-family use and appropriate square footage.
5. Parking Compliance: The applicant shall ensure that adequate off-street parking is provided on site in accordance with the City's zoning ordinance.
6. Conformance with RT Zoning Standards: Approval of the rezoning from RS to RT shall require the applicant to comply with the requirements of

65 Section 8-8-31: Two-Family Residential District (RT) Standards,
66 including:

- 67 a. Based on the submitted site plan, the applicant must apply for
68 a variance request to allow the reduction of the side yard
69 setback from the required 10ft to 8.5ft for the left side of the
70 home.
- 71 b. Based on the submitted site plan, the applicant must apply for
72 a variance request to allow the reduction of the rear yard
73 setback from the required 30 ft to 5.2ft.
- 74 c. Each Unit proposed should have a parking capacity of two
75 vehicles per unit.

76 7. Zoning Map Amendment: This approval shall apply solely to the property
77 at 5116 Sargent Street and shall not be construed as precedent for similar
78 requests in surrounding RS-zoned neighborhoods.

79 **Section 2.** The preamble of this Ordinance shall be considered to be and is hereby
80 incorporated by reference as if fully set out herein.

81 **Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council
82 that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,
83 upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and
84 constitutional.

85 (b) It is hereby declared to be the intention of the Mayor and Council that, to the
86 greatest extent allowed by law, each and every section, paragraph, sentence, clause or
87 phrase of this Ordinance is severable from every other section, paragraph, sentence, clause

or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed to the extent of such conflict.

Section 5. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

Section 6. Penalties in effect for violations of the Zoning Ordinance of the City of Forest Park, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 7. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

111 **Section 8.** The City Clerk, with the concurrence of the City Attorney, is authorized
112 to correct any scrivener’s errors found in this Ordinance, including any exhibits, as enacted.
113
114 **ORDAINED** this 2nd day of June, 2025.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, Mayor

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney