

Staff Report – Variance

Public Hearing Date: April 17, 2025

Case: VAR-2025-04

Current Zoning: Multiple-Family Residential District (RM)

Council Ward: 2

Proposed Request: Variance Request variance to decrease the side yard setback from the required twenty-five (25) feet to ten (10) feet and reduce the rear yard setback from the required thirty-five (35) feet to thirty (30) feet to allow the construction of a new two-family duplex within the Multiple Family Residential District (RM).

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

Staff Recommendation: Approval of Variance with Conditions

APPLICANT INFORMATION

Owner of Record:

Name: Gachelin Gaetan
364 Baymist Dr.
Loganville, GA 30052

Applicant:

Gachelin Gaetan
0 Ferguson CT
Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13049A A031

Acreage: 0.16 +/-

Address: 0 Ferguson CT.

FLU: Low Density Residential

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	RS: Single-Family Residential	East	RS: Single-Family Residential
South	RS: Single-Family Residential	West	RM: Multiple-Family Residential

SUMMARY & BACKGROUND

Summary

The applicant is requesting approval for a variance to reduce the side yard setback from the required twenty-five (25) feet to ten (10) feet, and to decrease the rear yard setback from the required thirty-five (35) feet to thirty (30) feet, in order to facilitate the construction of a new two-family duplex on a 0.16-acre (approximately 6,970 square feet) lot within the Multiple Family Residential District (RM). This request comes in response to the challenges presented by the lot's size and configuration, which make it difficult to fully comply with all zoning standards while maintaining functional living spaces for the intended duplex.

Background

In 2024, the applicant was granted the approval by both the Planning Commission and Mayor and council to rezone the property from Single Family Residential (RS) to Multiple Family Residential (RM). The applicant's intent is to construct a duplex comprising two residential units, each with three bedrooms and 2.5 bathrooms, and a parking pad for two vehicles per unit on the subject property. Although the lot size meets the minimum requirements for duplex development, the proposed duplex will occupy approximately 2,532 square feet of the land, a significant portion of the available space. Due to the required setbacks, parking space, and other zoning regulations, the current lot dimensions limit the applicant's ability to build the duplex without compromising the size and functionality of the individual units.

The applicant has expressed that the goal of this project is to create a home for their family and contribute to a community-focused living environment within Forest Park. The applicant believes that granting this variance would enable efficient and effective use of the property, while preserving the family-oriented atmosphere of the area and contributing to local housing options.

Approval of this variance will allow the applicant to construct the duplex without sacrificing the quality of the living spaces or the overall design of the units, while also ensuring that the development remains consistent with the intent of the surrounding neighborhood. By granting this variance, the property can be developed in a way that maximizes its potential and meets the needs of the applicant's family, while contributing positively to the community's housing stock. The applicant is open to providing any additional information or documentation that may assist in the review process.

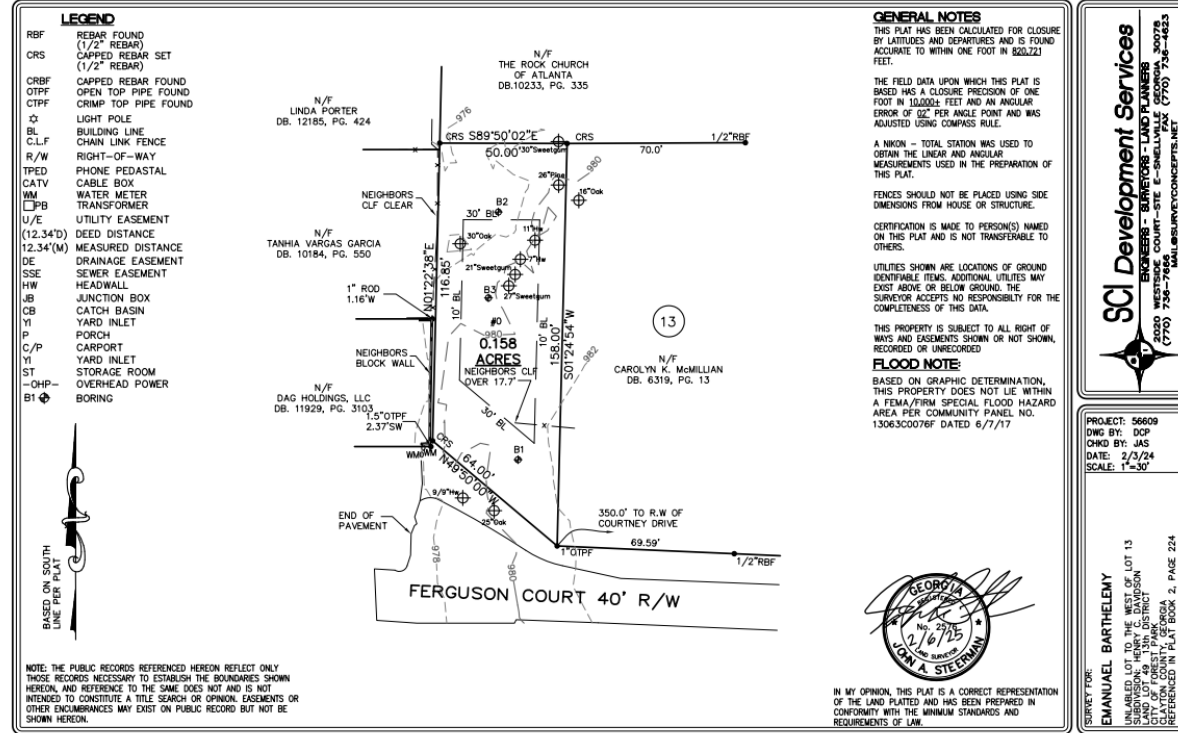
AERIAL MAP



ZONING MAP



SURVEY



SITE PLAN

SITE PLAN

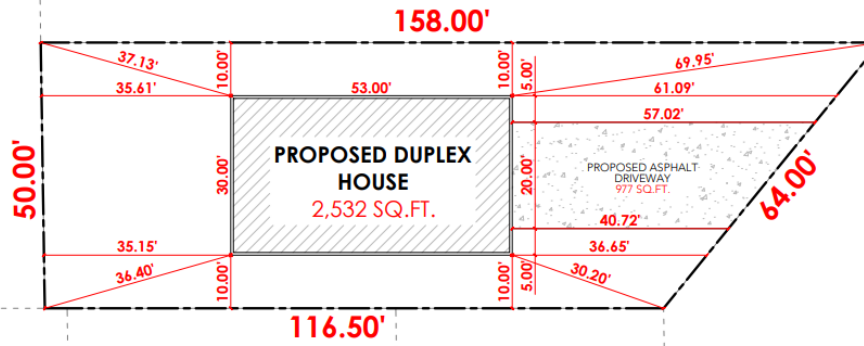
LOCATION: 0 FERGUSON CT, FOREST PARK, GA 30297, USA

PARCEL CITY: FOREST PARK

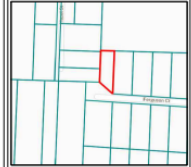
PARCEL ID: 13049A A031



FERGUSON CT



VICINITY MAP



SCOPE OF WORK

- SITE PLAN OF THE PROPERTY UNDER REVIEW SHOWING THE PROPOSED DEVELOPMENT.

LOT SIZE

6,865 S.F.
(0.16 ACRES)

SHEET TITLE

SITE PLAN

LOT OWNER:

BARTHLIN M. INVESTMENTS

RAHULARC DESIGN

ARCHITECT RAHULARC DESIGN
DRAWN RAHULARC DESIGN
CHECKED BY RAHULARC DESIGN

SCALE 1"= 15'-00" (17"x11") DATE 03-14-2024

SHEET NO.

01

PROPOSED DEVELOPMENT



DESIGN OPTION #1



DESIGN OPTION #2

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** of the variance with conditions to decrease the side yard setback from the required twenty-five (25) feet to ten (10) feet and reduce the rear yard setback from the required thirty-five (35) feet to thirty (30) feet to allow the construction of a new two-family duplex within the Multiple Family Residential District (RM).

The Conditions are as follows:

1. Staff recommends that the applicant adds a rear entry door to the property of each unit for safety reasons. The addition of this rear entry door is essential to ensure proper emergency access and egress, enhancing the overall safety of the building. The rear entry should be designed and installed in compliance with local safety codes and regulations, and proof of this installation will be required prior to final approval. Please ensure that all necessary adjustments are made promptly to meet these safety requirements.

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