



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: July 20, 2023

Case: VAR-2023-09

Current Zoning: RS – Single Family Residential District

Proposed Request: Variance Request to decrease the minimum lot width from 80 feet to 75 feet and reduce the side yard setback from 10 feet to 5 feet.

Staff Report Compiled By: SaVaughn Irons, City Planner

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record: Name: Juan Carlos Mendoza 540 Perkins Dr. Forest Park, GA 30297	Applicant: Juan Carlos Mendoza 540 Perkins Dr. Forest Park, GA 30297
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PROPERTY INFORMATION

Parcel Number: 13078B A019	Acreage: 0.17+/-
Address: 540 Perkins Dr, Forest Park, GA 30297	FLU: Parks/Open Space

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

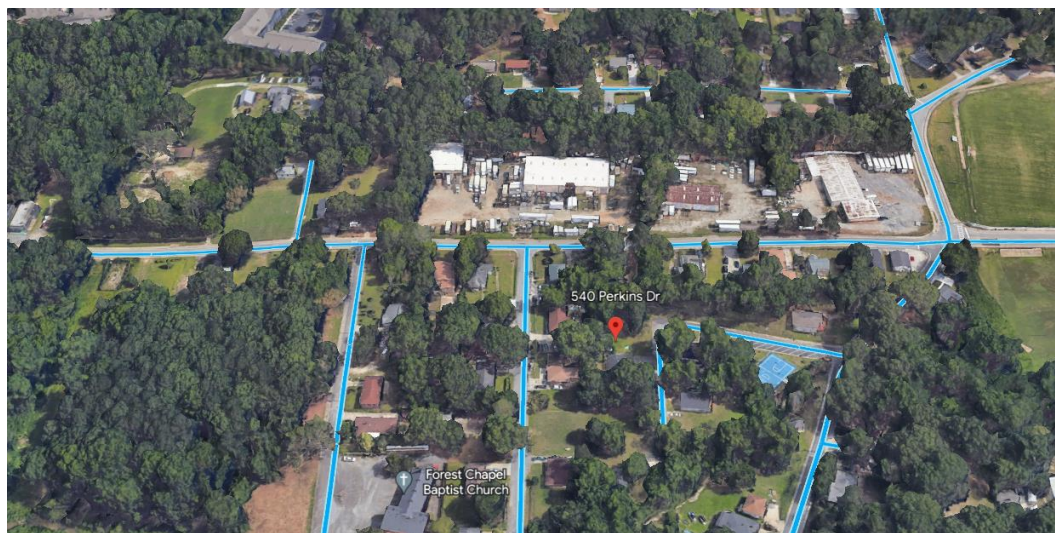
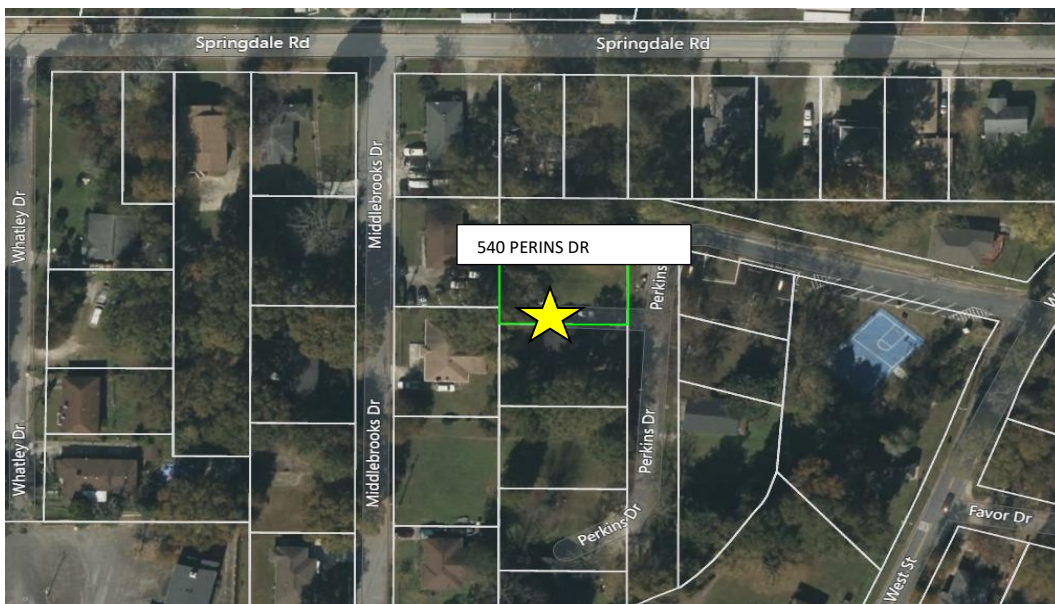
Direction	Zoning & Use	Direction	Zoning & Use
North	RS: Single Family Residential District	East	RS: Single Family Residential District
South	RS: Single Family Residential District	West	RS: Single Family Residential District

SUMMARY & BACKGROUND

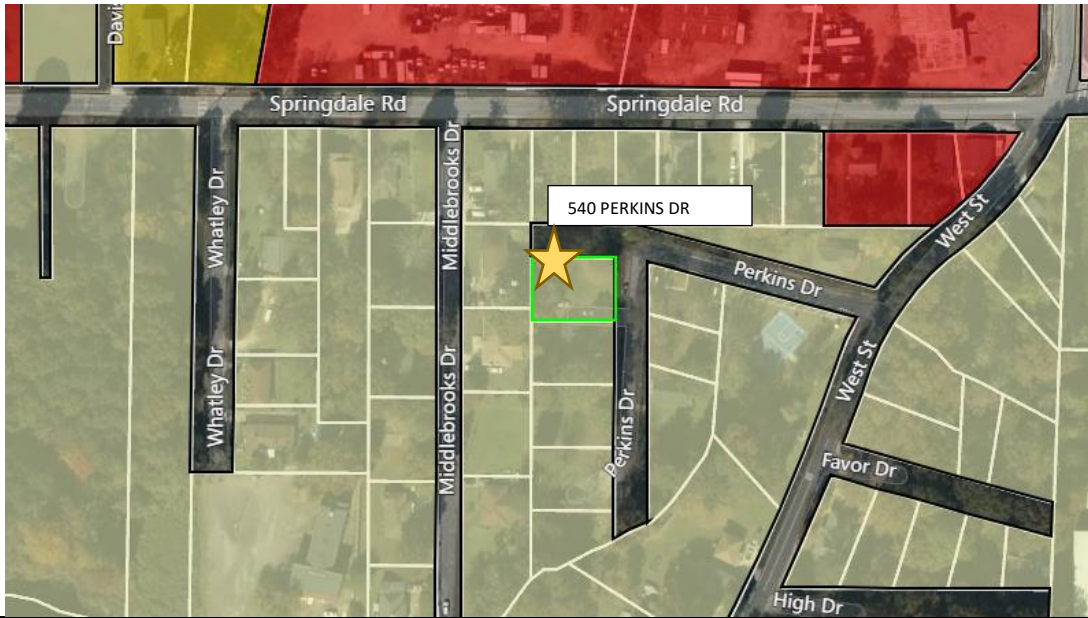
The subject property is currently a vacant lot within the Single-Family Residential District (RS) with 0.17 +/- acres and a total land area square footage of 7,487. The applicant is requesting a variance to decrease the minimum lot width from 80 feet to 75 feet and reduce the side yard setback from 10 feet to 5 feet. Per section 8-8-29 Single Family Residential

District (RS) Standards, the required minimum lot width is 80 feet. The reason for this request is due to the land parcel's peculiar shape and surrounding homes within the community being consistent with the similar lot dimensions, based on the subject property plot map. The applicant has advised that the peculiar shape of the lot was pre-existing prior to the update of the Unified development code standards for new construction single-family homes. Currently the Unified development code standards provides a hardship to meet the minimum lot area based on the lots peculiar shape and the city of Forest Park Zoning Ordinance. This variance will allow the applicant to construct a new development single-family home within the RS district on a smaller lot width and provide added value to the existing community for future esthetics and home ownership.

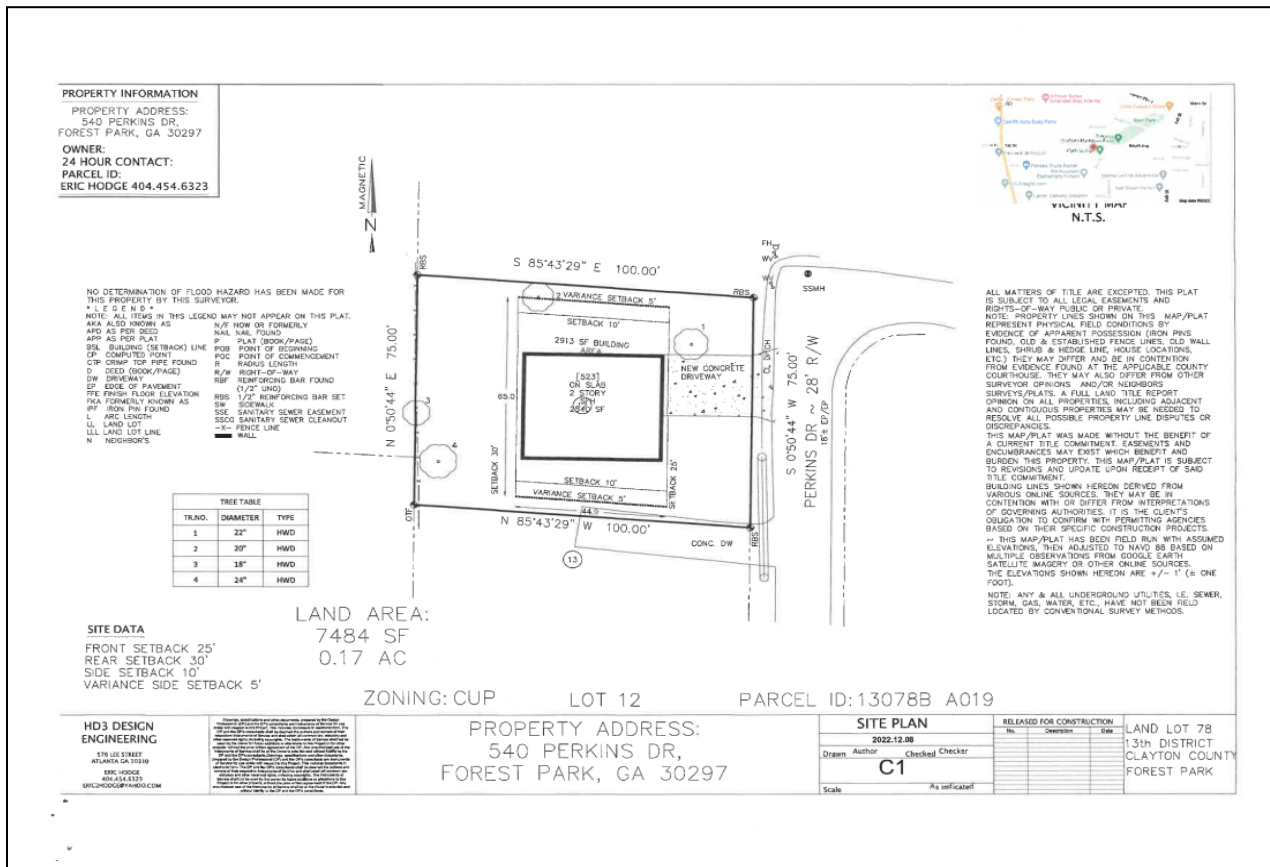
AERIAL MAP



ZONING MAP



SITE PLAN



NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

*** L E G E N D ***

NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.

AKA ALSO KNOWN AS N/F NOW OR FORMERLY
 APD AS PER DEED NAIL NAIL FOUND
 APP AS PER PLAT P PLAT (BOOK/PAGE)
 BSL BUILDING (SETBACK) LINE POB POINT OF BEGINNING
 CP COMPUTED POINT POC POINT OF COMMENCEMENT
 CIP CRAMP TOP PIPE FOUND R RADIUS LENGTH
 D DEED (BOOK/PAGE) R/W RIGHT-OF-WAY
 DW DRIVEWAY RRF REINFORCING BAR FOUND
 EP EDGE OF PAVEMENT (1/2" UNO)
 FFE FINISH FLOOR ELEVATION RBS 1/2" REINFORCING BAR SET
 FKA FORMERLY KNOWN AS SW SIDEWALK
 IFF IRON PIN FOUND SSE SANITARY SEWER EASEMENT
 L ARC LENGTH SSCD SANITARY SEWER CLEANOUT
 LL LAND LOT -X- FENCE LINE
 LLL LAND LOT LINE ■■■ WALL
 N NEIGHBOR'S



ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.

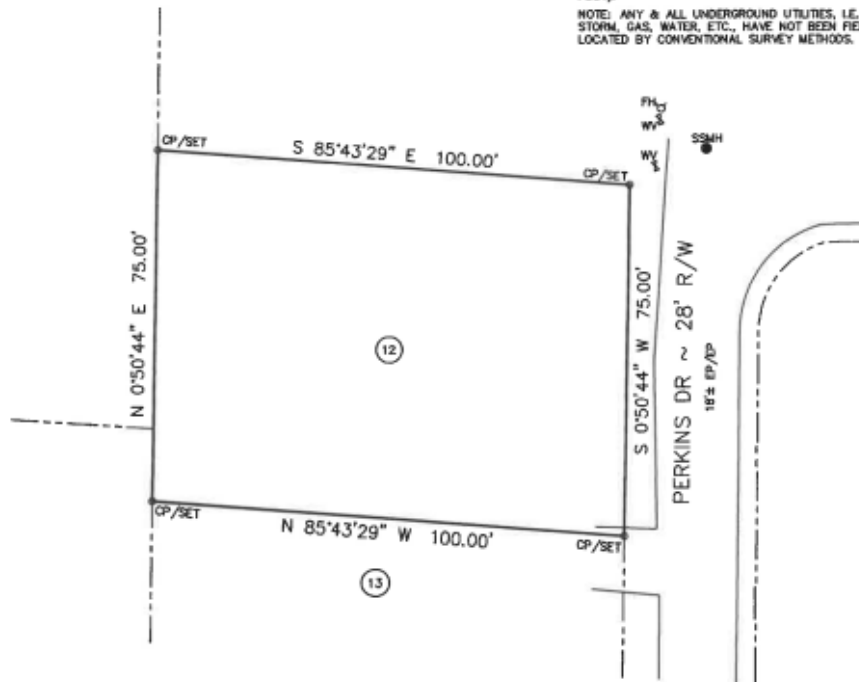
NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS.

~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).

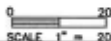
NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.



PROPERTY ADDRESS:
 540 PERKINS DR,
 FOREST PARK, GA 30297

LAND AREA:
 7487 SF
 0.17 AC

ZONING: CUP



PLAT PREPARED FOR:
 540 PERKINS DR

LOT 12	PARCEL ID: 130788 A019
LAND LOT 7B	13th DISTRICT SUBDIVISION SPRINGDALE
CLAYTON COUNTY, GEORGIA	FIELD DATE: 08-01-2022
LOCATED IN FOREST PARK	DRAWN DATE: 08-02-2022
REFERENCE: PLAT BOOK 1, PAGE 252	ALL MATTERS OF TITLE ARE
REFERENCE: DEED BOOK 11474, PAGE 220	EXCEPTED. NOT TO BE RECORDED
	UNTIL USED TO CORRECT DISCREPANCIES



SURVEY SYSTEMS ATLANTA
 660 LAKE DR, SW, SNELLVILLE, GA 30039
 CDA #LSF000567, JOBORDERS@SURVEYSATLANTA.COM
 CELL 678-591-6064 ~ OFFICE 404-760-0050

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 06 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN _____ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 160-7 OF THE 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. 15-8-67.

SITE PHOTOS





VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this chapter were permitted 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 a variance to allow a minimum lot width of seventy-five (75) feet instead of the required eighty (80) feet and a minimum side yard setback of five (5) feet instead of the required minimum side yard setback of ten (10) feet. This approval allows the applicant to construct a newly developed home on the peculiarly shaped lot. 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
- Letter of Consent from Adjacent Property Owner