



# 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 21, 2023

Case: VAR-2023-11

**Current Zoning:** RS – Single Family Residential District

**Proposed Request:** Variance Request to decrease the rear yard minimum setback from 30 feet to 27.5 feet.

**Staff Report Compiled By:** SaVaughn Irons, City Planner

**Staff Recommendation:** Approval of Variance

### APPLICANT INFORMATION

<b>Owner of Record:</b>	<b>Applicant:</b>
<b>Name:</b> Plinio Quezada	Plinio Quezada
4281 Huntoon PL.	4281 Huntoon PL.
Forest Park, GA 30297	Forest Park, GA 30297

### PROPERTY INFORMATION

<b>Parcel Number:</b> 13017B C017	<b>Acreage:</b> 0.28+/-
<b>Address:</b> 4281 Huntoon PL., Forest Park, GA 30297	<b>FLU:</b> S.F. Residential

### ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

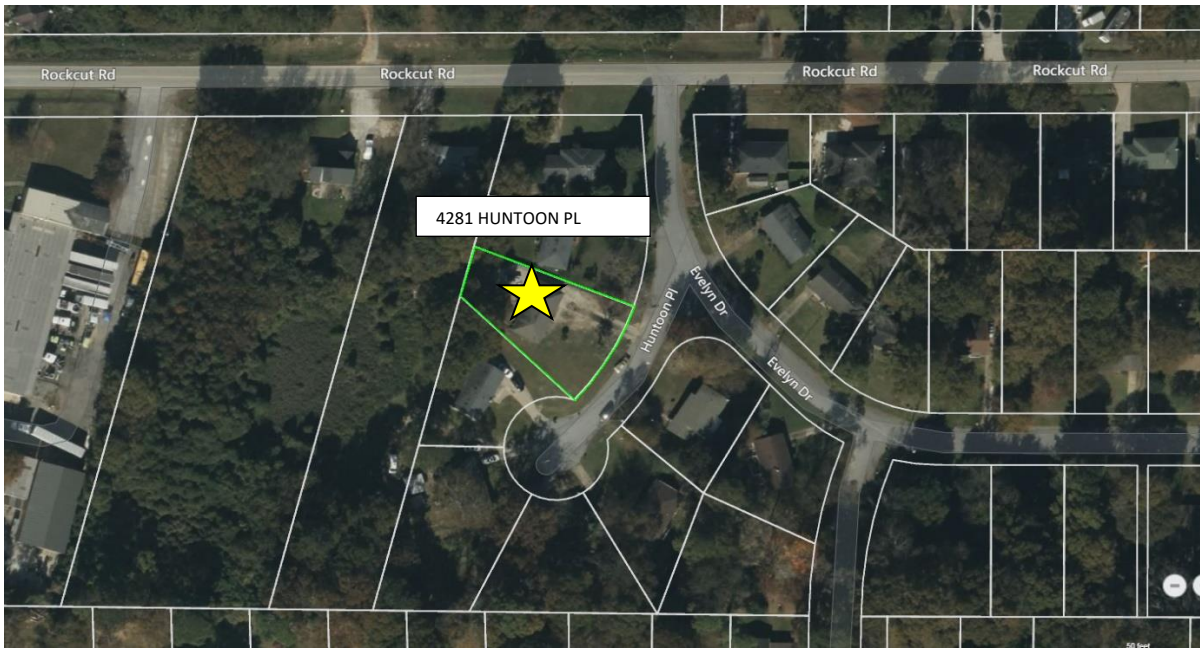
Direction	Zoning & Use	Direction	Zoning & Use
North	RS: Single Family Residential District	East	RS: Single Family Residential District
South	RS: Single Family Residential District	West	RS: Single Family Residential District

### SUMMARY & BACKGROUND

The subject property is a residential home located at 4281 Huntoon PL., on approximately 0.28 +/- acres. The home was built in 1957 with a total building area square footage of 1,275. The applicant has added an addition to the primary structure and is requesting a variance for the constructed addition to allow a minimum rear yard setback of twenty-seven

and a half (27.5) feet instead of the required minimum thirty (30) foot rear yard setback, per Sec. 8-8-29 Single Family Residential District (RS) Standards. The addition to the primary structure was constructed without receiving the appropriate permits for construction and the applicant was unaware of the setback requirements. In addition to the addition of the primary structure, the applicant is also in process of constructing an access hallway that will connect the accessory structure to the primary structure to make one single structure. Based on these findings, the applicant has submitted for a variance to allow his construction to remain at its current location. Surrounding the rear perimeter of the applicant property, a fence was previously on site, but since has been removed to allow additional rear yard setback footage. With the removal of the fence, the current rear yard setback is 27.5 feet. The applicant does not have any neighboring properties at the rear of his property line to provide consent due to it being a wooded area. This variance will allow the applicant to maintain his 27.5 rear yard setback for primary structure addition instead of the required minimum rear yard setback of 30 feet.

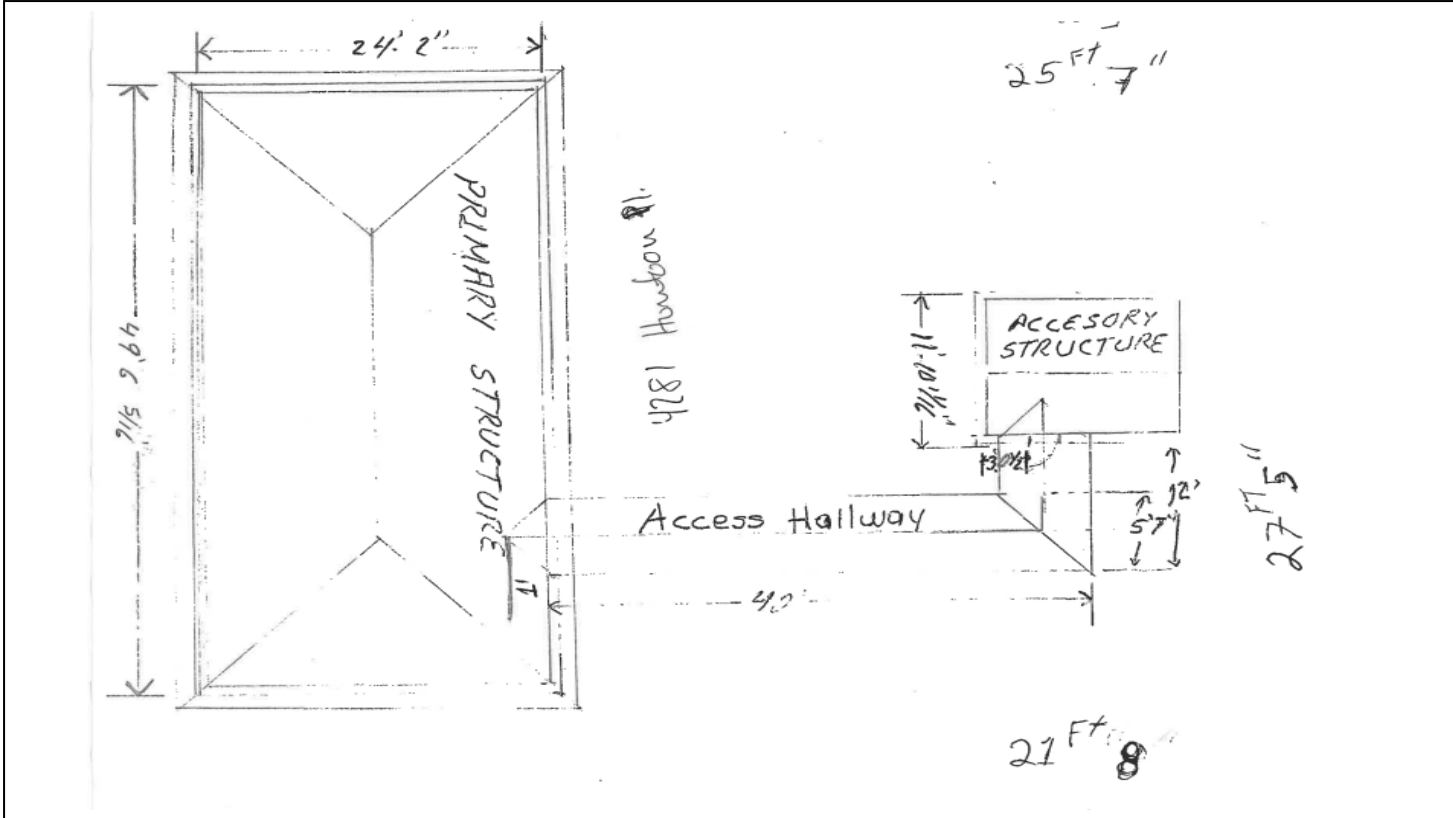
**AERIAL MAP**



**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** of a variance to allow a minimum rear yard setback of twenty-seven and a half (27.5) feet instead of the required minimum rear yard setback of thirty (30) foot for the preconstructed addition to the primary structure. This approval allows the previously constructed development to remain on said property. 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