

	<p>CITY OF JONESBORO, GEORGIA COUNCIL</p> <p>Agenda Item Summary</p>	<p>COUNCIL MEETING DATE:</p> <p>April 6, 2026 - Work Session April 13, 2026 - Public Hearing</p>
<p>Requesting Agency (Initiator)</p> <p>Max Kovtoun (Applicant)</p>	<p>Sponsor(s): Community Development Director Faith Akuta</p>	
<p>Item Title:</p>	<p>Public Hearing regarding Variance Application #26-VAR-001 submitted by Max Kovtoun for properties located 262 and 294 South Main Street (Parcels #06032A B002, 06032A B002Z, & 06032A B006), Jonesboro, Georgia 30236 within the MX (Mixed Use) District and the G (Gateway South District). The properties consist of 29.14 +/- acres. The request seeks approval to allow encroachment into the required stream buffer to accommodate the proposed development.</p> <p>Council to consider Variance Application #26-VAR-001.</p>	
<p>Requested Action</p> <p>Council to discuss Variance #26-VAR-001 for 262 & 294 S. Main Street to allow stream buffer encroachment for proposed development.</p>		
<p>Requirement for Board Action</p> <p>Article VIII – Stream Buffer Protection.</p>		
<p>Is this Item Goal Related?</p> <p>Yes.</p>		
<p>Summary and Background</p> <p>Zoning History:</p> <p>On September 16, 2024, the applicant received Conditional Use approval (24-CU-09B) for parcels 06032A B002 and 06032A B002Z to allow a multifamily development consisting of three four-story buildings, a central amenity area, and approximately 200 residential units. This approval was subject to compliance with the R-M Multifamily District standards (Sec. 86-101), Multifamily Apartments requirements (Sec. 86-205), and Gateway South Overlay District standards (Sec. 18-118).</p> <p>The applicant subsequently revised the site plan to include additional parcels, requiring an updated Conditional Use approval. On February 9, 2026, the applicant received Conditional Use approval (25-CUP-009) to incorporate parcels 06032A B003 and 06032A B006 into the project. The subject property also received two variances: 25-VAR-001, relief from exterior architectural design and materials related to porches and balconies and 25-VAR-003, for relief from sidewalk requirements.</p> <p>Table 1.0 (following page) illustrates the zoning and current land uses for the adjacent properties</p>		

Table 1.0 Adjacent Zoning/Land Use

Current Zoning		Current Land Use
North	C-1(Neighborhood Commercial District) and A (Assembly Rights); M-1 (Light Industrial District) and G (Gateway Overlay District); R-2 (Single Family Residence)	Office, Single Family Residential, and, Commercial
East	M-1(Light Industrial District) and G (Gateway Overlay District)	Industrial
South	M-1(Light Industrial District) and G (Gateway Overlay District)	Industrial
West	O-I(Office and Institutional District) and G (Gateway District)	Government

Summary and Staff Analysis

The subject property is zoned MX (Mixed Use) and is located within the Gateway South (G) Overlay District. According to the applicant’s site plan dated August 15, 2025, the total project area encompasses approximately 29.14 +/- acres.

The applicant is requesting a variance from Article VIII – Stream Buffer Protection to allow encroachment into the required 50-foot stream buffer and 25-foot setback. The applicant indicates that the variance is needed to accommodate a culvert crossing to provide vehicular access and to extend public utilities to a landlocked portion of the property due to an existing stream that flows from north to south.

Sec. 34-338. - Variance procedures.

(4) The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

The subject property contains a creek, which in combination with the City’s impervious surface limitations, constrains the layout of the proposed development. While the property does not exhibit other extraordinary conditions related to its shape, size, topography, slope, soils, or vegetation, the presence of the creek impacts the developable area and site design. The proposed use has already been approved through a Conditional Use Permit. The requested variance is not needed to allow the use, but rather to permit deviations from certain development standards to accommodate the proposed site layout.

b. The locations of all streams on the property, including along property boundaries;

The applicant has provided a survey (Attachment A) identifying the location of streams and relevant site features. The “Existing Conditions Sheet” (Attachment B) further illustrates these features by overlaying wetlands and stream information onto the survey.

c. The location and extent of the proposed buffer or setback intrusion; and,

The applicant’s site plan illustrating proposed improvements within the stream buffer is provided in Attachment C (“Estoria – Site Plan”), which accurately depicts the extent of buffer impacts. The current preliminary layout is shown in Attachment D (“Estoria – Site Plan V2”), and Attachment E (“Estoria – Grading Plan”) illustrates the extent of disturbance within the buffer due to grading activities.

d. Whether alternative designs are possible which require less intrusion or no intrusion

The applicant has submitted an alternative “No Buffer Impact” design, which would completely avoid buffer intrusion. However, this alternative would result in a reduction of approximately 68 dwelling units.

e. The long-term and construction water-quality impacts of the proposed variance;

According to the applicant, the proposed stormwater management plan directs offsite water to bypass the onsite system, while onsite runoff will be treated through subsurface water quality systems prior to discharge into the existing stream.

f. Whether issuance of the variance is at least as protective of natural resources and the environment.

The applicant’s submission does not provide sufficient detail to demonstrate that the proposed design would be at least as protective of natural resources and the environment.

Fiscal Impact (Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

- **Private Developer**

Exhibits Attached

- **Application packet**
- **Legal Ad**
- **Survey**
- **Map**
- **Sign Photo**
- **Site Photos**

Max Kovtoun (26-VAR-001)

Staff Recommendation
Staff recommends **approval** of the applicant's request for relief from stream buffer protection requirement.

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title	Date	
Signature	City Clerk's Office	