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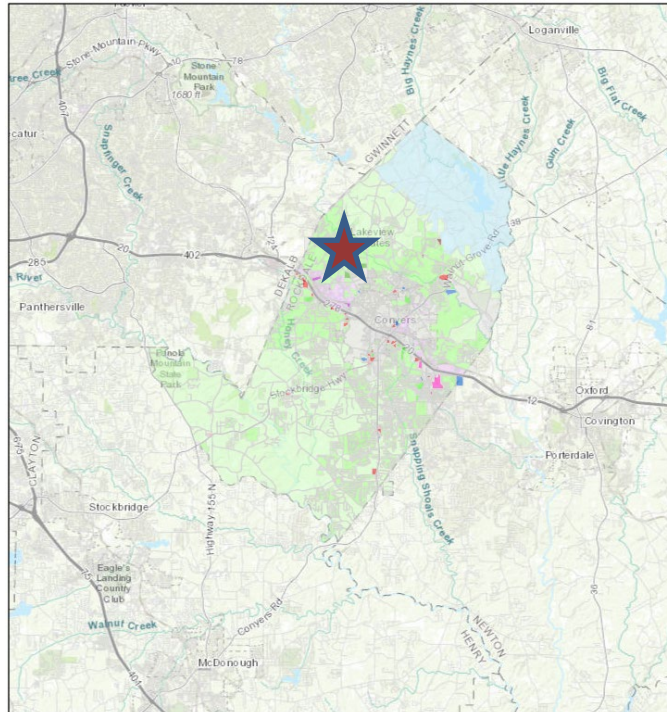


DEPARTMENT OF PLANNING & DEVELOPMENT

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BOARD OF ADJUSTMENTS
ROCKDALE COUNTY PLANNING STAFF REPORT

Case Number: VAR2024-33
Address: 1726 and 1830 Farmer Road NW
Tax Parcel ID: 0210010004 and 021001004A
Site Area: 68.41 acres
Current Zoning: O-I (Office-Institutional District)
Existing Conditions: Undeveloped; two single-family residential structures
Request: A variance from Sec. 206-10 (e) (2) b. which requires that no vehicular parking shall be permitted in the area between the street right-of-way and the building facades facing that street.
Applicant: Chip Scaglione / DC Blox Atlanta East, LLC
Owner: DC Blox Atlanta East, LLC
Staff Recommendation: Denial
BOA Hearing Date: February 3rd, 2025



Zoning History

The subject site is comprised of two parcels located at 1726 and 1830 NW Farmer Road. The property was rezoned in 2023 from R-1 (Single-Family Residential District) to O-I (Office-Institutional District) pursuant to O-2023-21. The Future Land Use of the property was also amended in 2023 from Medium Density Residential to Office Institutional (Technology Park) pursuant to O-2023-20.

Existing Site Conditions

The subject site is a 68.41-acre property along Farmer Road NW and Lester Road NW. Sidewalks are not present along any of the property's road frontage. The topography of the property slopes generally down from southeast to northwest. Two ponds are located on the northern portion of the site. Both parcels are developed with a single-family residence. Parcel 0210010004 is developed with a single-family residence that was constructed in 1945. Parcel 021001004A is developed with a single-family residence that was constructed in 1978. The residences are accessed from driveways along Farmer Road. Apart from the residences, the property is largely undeveloped.

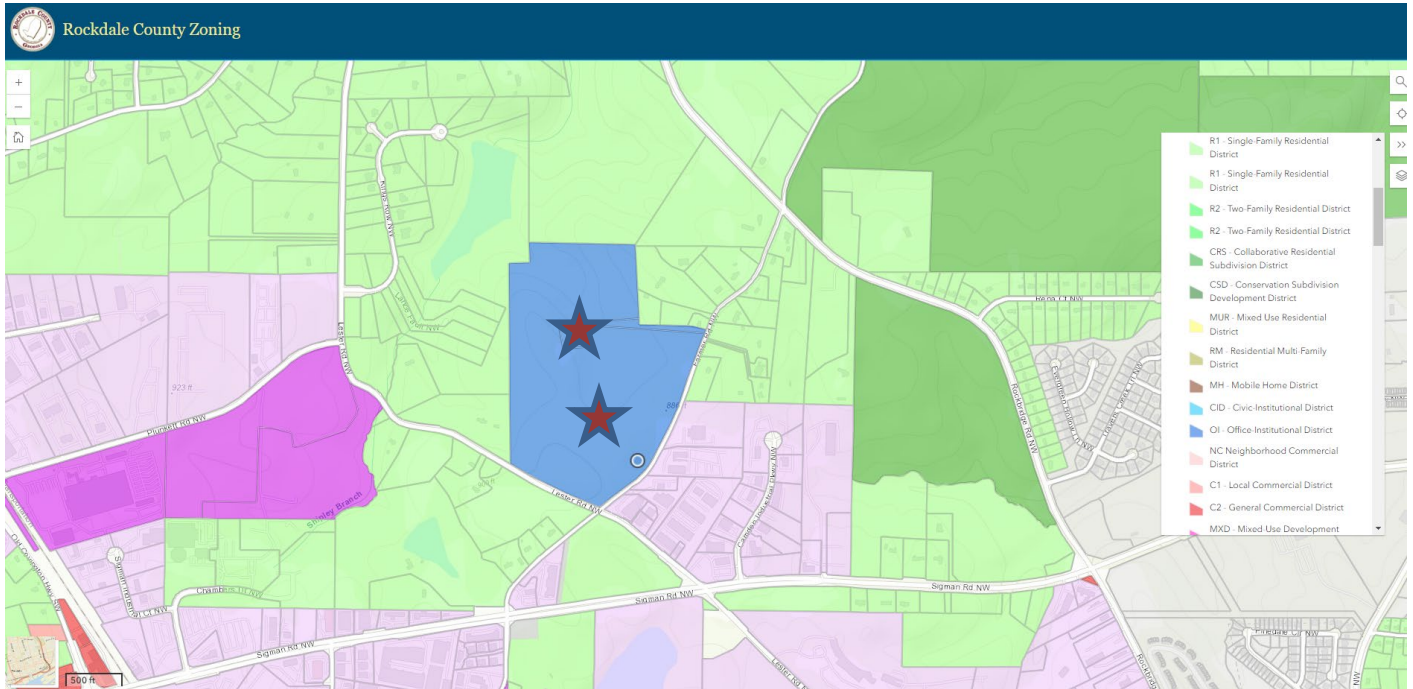
Surrounding Use and Zoning

The subject site borders both residential and industrial uses. The following is a summary of surrounding uses and zoning:

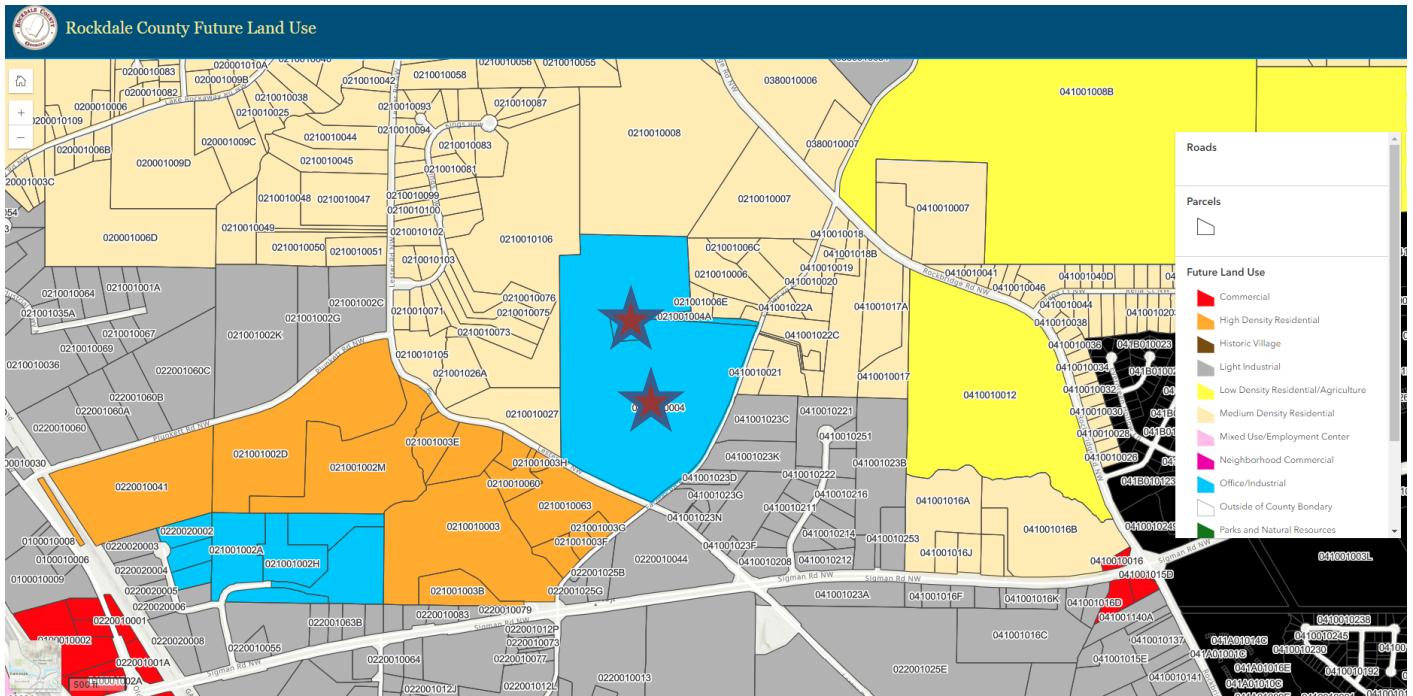
ADJACENT ZONING AND CURRENT LAND USE			
Direction	Address	Zoning District	Current Land Use
North	1852 NW Farmer Road	R-1	Single-Family Residence
	1850 NW Farmer Road	R-1	Undeveloped
	1854 NW Farmer Road	R-1	Undeveloped
	1848 NW Farmer Road	R-1	Single-Family Residence
	2002 NW Rockbridge Road	R-1	Single-Family Residence
West	0 NW Kings Row	R-1	Royal Lake Estates Homeowners Association – Common Area
	1735 NW Lester Road	R-1	Single-Family Residence
South	1716 NW Lester Road	R-1	Undeveloped
	1945 NW Sigman Road	R-1	Undeveloped
East	1601 NW Lester Road	M-1	Industrial
	1591 NW Lester Road	M-1	Industrial
	1655 NW Farmer Road	M-1	Industrial
	1665 NW Farmer Road	M-1	Industrial (Maintenance Warehouse)
	1695 NW Farmer Road	M-1	Industrial (Storage Warehouse)
	1815 NW Farmer Road	R-1	Single-Family Residence
	1805 NW Farmer Road	R-1	Detached Garage
	1845 NW Farmer Road	R-1	Single-Family Residence

ROCKDALE COUNTY
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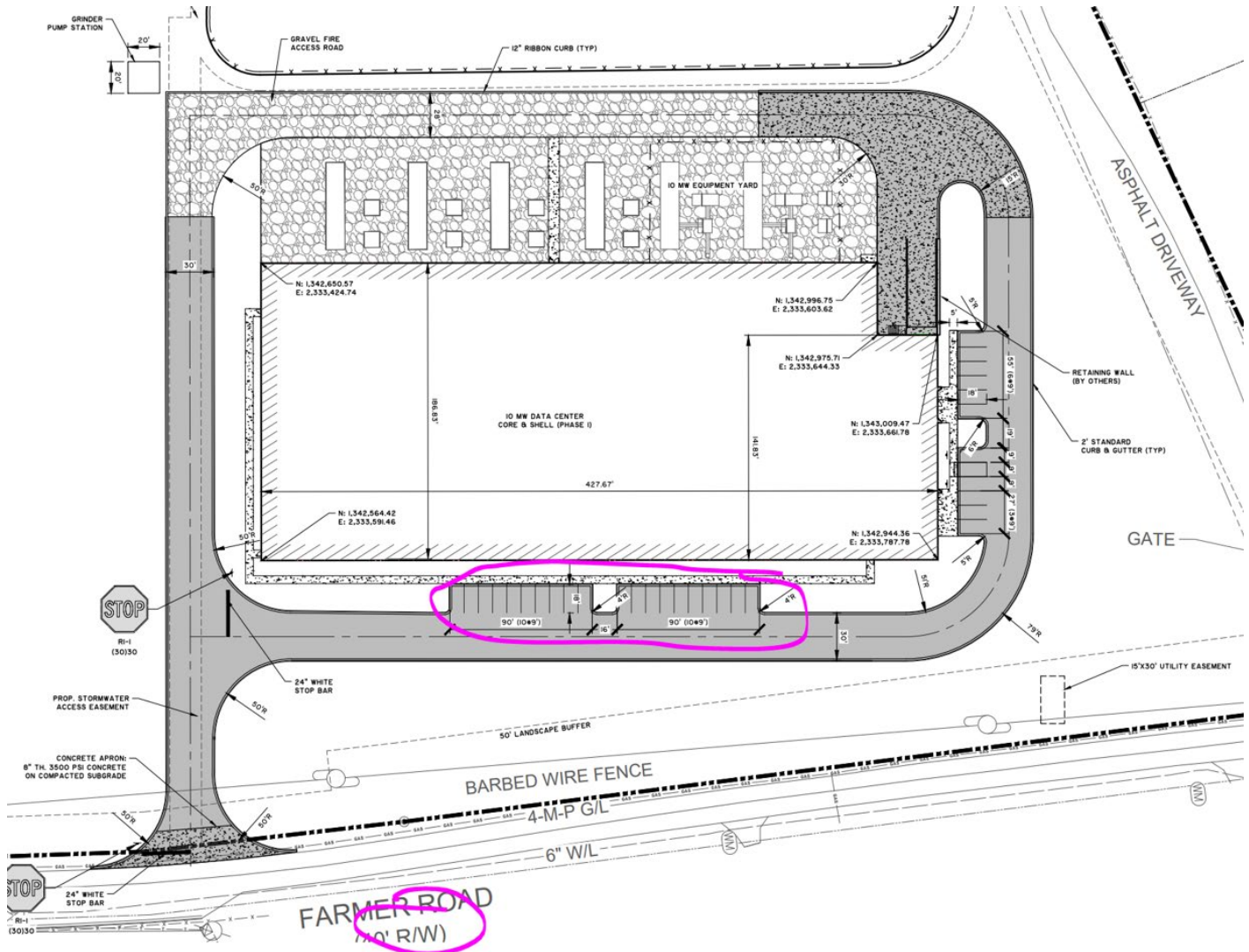
ZONING MAP



FUTURE LAND USE MAP



SITE PLAN



Project Summary

The applicant is requesting a variance from Sec. 206-10 (e) (2) b. which requires that no vehicular parking shall be permitted in the area between the street right-of-way and the building facades. The project includes:

- The development of a data center complex on a 68.41-acre property zoned O-I (Office-Institutional District).
- The applicant stated that data center buildings use generators at the rear of the buildings, restricting the amount of parking available in those areas. Furthermore, transmission lines are situated at the rear of the property. As equipment should be hidden from public view and power is fed from the rear of the property, the fronts of the buildings are a more appropriate place for parking.
- Data centers do not require many parking spaces; **a variance was previously granted by the Board of Adjustments to reduce the required parking to 1 space per 6,000 square feet.**

EVALUATION OF THE VARIANCE REQUEST

Sec. 238-9 (h) Standards for granting variances (1) Granting variances. The board of adjustment shall not grant a variance unless it has, in each case, make specific findings of fact based directly upon the evidence presented supporting written conclusions that the variance meets each of the following criteria:

A. Arises from a condition that is unique and peculiar to the land, structures and buildings involved.

The request arises from the unique use of a data center – our code does not address specific requirements for data centers, including parking requirements. The rise in demand for data centers has increased in the last few years, so ordinances should likely be amended to address this use in more detail. For example, ordinances are needed to address the requirements regarding location and amount of parking as well as the height of buildings.

B. Is necessary because the physical surroundings, the size, shape or topographical condition of the specific property involved would result in unnecessary hardship for the owner, lessee or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced.

Transmission lines are located at the rear of the property, and power is fed from these lines to the equipment located at the rear of the property. However, staff would recommend that the applicant reconfigure the site plan to allow the parking to be at the sides of the buildings in order to comply with code requirements.

C. The condition requiring the requested relief is not ordinarily found in properties of the same zoning district as the subject property.

The O-I (Office Institutional) zoning district requires that no vehicular parking shall be permitted in the area between the street right-of-way and the building facades facing that street. The request for relief from Sec. 206-10 (e) (2) b. is due to the restriction found within the requirements of the zoning district.

D. The condition is created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant.

The condition is created in part by the Unified Development Ordinance and the absence of parking regulations pertaining to data centers; however, to comply with the Zoning District's requirements, the applicant should place parking to the sides of the buildings.

E. The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood.

The granting of the requested parking variance would not impair or injure other property or improvements. However, removing the parking lot from the front of the building to place at the sides would only improve the look of the data center buildings from view of the street.

F. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structures.

Staff suggest that the applicant adjust the site plan so that parking can comply with code requirements, which would make most reasonable use of the land.

G. The variance desired will not be opposed to the general spirit and intent of Title 2 of the UDO or the purpose and intent of the comprehensive plan.

The desired variance is opposed to UDO Sec. 206-10 (e) (2) b. which requires that no vehicular parking be permitted along the fronts of buildings adjacent to the street. The intent of this code section is to beautify the community and reduce the view of impervious surfaces and parked cars from view of the street and adjacent properties.

PLANNING & DEVELOPMENT STAFF RECOMMENDATIONS

Staff recommend **Denial** of the variance request from Sec. 206-10 (e) (2) b. which requires that no vehicular parking shall be permitted in the area between the street right-of-way and the building facades facing that street.