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Clayton County
Community Development Department
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236



PATRICK EJIKE
DIRECTOR

Board of Zoning Appeals
Meeting Minutes of March 24, 2016

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of March 24, 2016 in the Commissioner' Board Room, Administration Building, 112 Smith Street, Jonesboro, Georgia.

Members present were: Chairman Don McMillian, Jr., Board Member DeMont Davis, Board Member Joe Hamilton Board Member Keith Parker, and Board Member Frances Solomon. Present from Community Development Department were LaShawn Gardiner, and Linda Willis.

Members absent were: and Vice Chairman William Hill. No representation from Legal was present.

The Pledge of Allegiance was said in unison.

The motion to approve the agenda was made by Board Member Frances Solomon and seconded by Board Member DeMont Davis. The vote was unanimous.

The motion to approve the minutes of the January 21, 2016 and the Special Call meeting of March 10, 2016 was made by Board Member Joe Hamilton and seconded by Board Member Frances Solomon. The vote was unanimous.

Chairman Don McMillian, Jr. stated that there were no persons having business with the Board of Zoning Appeals; no report of Officers and Committees and no old business with the Board of Zoning Appeals.

The Procedures for the Clayton County Board of Zoning Appeals' Public Hearings was given by Ms. Linda Willis.

Chairman Don McMillian, Jr. called for New Business.

1. Case Number: BZA-16/02-84

The Applicant, *Andrew Halloran*, on behalf of San Felipe De Jesus Church is requesting a variance from Article 3, Section 3.8 Residential District (RS-110), to increase the maximum impervious surface from 45% to 60%. The subject property is located at **925 Conley Road, Forest Park, GA** and otherwise known as parcel number 13-017A-B005. The subject property contains approximately 5.01 +/- acres of land, and has a Residential (RS-110) District zoning classification.

Commissioner District #1 – Sonna Singleton Gregory

The Staff Report for case BZA-16/02-84 was given by LaShawn Gardiner of Planning and Zoning.

LaShawn Gardiner: County records indicate that the subject property has been zoned Residential (RS-110) since July 1992. Records also show that as early as 1992 the property was granted a Conditional Use Permit (CUP) in the RS-110 district for use as a church. The Planning & Zoning Staff recommended **approval** of the Variance application request to increase the impervious surface from 45% to 60%.

Chairman Don McMillian, Jr. called for the petitioner to present their case.

The Applicant was represented by Andrew Halloran, located 2985 Gordy Parkway, Suite 119, Marietta, GA., on behalf of San Felipe De Jesus Church.

Andrew Halloran: The first sanctuary was developed in 2007 and provided covered parking spaces. Since that time the church had a growth in membership, which created a need for additional parking spaces on the property. I plan to present to you two (2) proposed areas where potential parking spaces will go upon the property. In the south 43 spaces in result will increase the impervious surface area from 45% to 50%. The other area is the existing detention pond. To account for this increase in impervious area an underground detention pond system is proposed in place of the existing retainer wall detention pond system. The additional water quality will be provided in that area. This will be a much bigger system than what's currently out there now and improve the detention situation on the project. The church is nestle in between residential to the north and east and commercial to south and west. The church is however in need of additional parking and that is why we are here is to ask to increase the impervious surface. Thank you for your time tonight.

Chairman Don McMillian, Jr. called for any public concerns/comments. There were none.

Chairman Don McMillian, Jr.: We do have a letter here from a Mr. Harris Callaway regarding flooding prior to the 2013 time frame. Can you address those concerns that he had about additional water on his property, volume flow, and the current situation verses improvements? **Andrew Halloran:** What we know about this site when it was originally developed were the current detention pond was a wall detention pond and retainer wall system went through a channel of properties. In 2013 an underground pipe was installed and connected to the existing detention pond system to alleviate the erosion situation. With this new development of additional parking lot and putting the detention pond underground, I think that will take it another step higher in that the detention pond system is in a stable pipe system and not in an open earth area. The new detention pond system will be under beneath the parking lot and will actually provide more greenery in that area, which will allow for more trees to grow, the walls will be taken away, and there will be some more green space on that residential side than what is currently out there now.

Chairman Don McMillian, Jr.: The increase in water flow will be made up for with the detention pond so that the release rate will remain the same. **Andrew Halloran:** The proposed detention pond will have more volume than what is out there currently.

Chairman Don McMillian, Jr.: And you will be going before the Clayton County Water Authority to seek approval on that whole project? **Andrew Halloran:** That's correct, assuming our application will be okay, we will proceed with obtaining permits.

Chairman Don McMillian, Jr. asked the Board Members if they had any questions/concerns.

Board Member Keith Parker: With Clayton County Water Authority which may be separate from Storm Management, what are their recommendations? **Andrew Halloran:** Since they have not gotten to the review process of approval or denial of the proposed detention pond system, I will say as long as we are complying with their analysis criteria for the detention pond system we will attain approval.

Chairman Don McMillian, Jr.: Once we approve, then he seek permitting from them. They will look at the project and ensure that it is not detrimental to the system that they have.

Board Member Keith Parker: Currently right now the way our Storm Water works is that it runs into the drainage from the roadway and normally the spillage ends up in our back yards. There is no other system that is available.

Since there is existing storm water pipes, Mr. Halloran indicated from the handouts he provided the Board Members of (plans/maps) how the underground detention pipes will be connected and flow through the neighborhood area. A discussion and explanation of this storm water system and process continued by Mr. Halloran.

Board Member Keith Parker: Currently in Clayton County the water runs off the streets back into residents' homes, then channels into a spillage area, then into a larger spillage area which is normally a creek. If everything works, it will go into the waste water treatment plant. In most cases if there is anything obstructing it, it tends to go back to the residents. As far as the Clayton County system itself, then how is that being rectified through the system we have now.

Board Member DeMont Davis: To me this detention pond has nothing to do with the lack of planning from the County, if I can use that term lack of planning. My question becomes, would the resident in question will their problem be rectified? **Chairman Don McMillian, Jr.:** It already has been with that pipe.

Board Member DeMont Davis: But we think it has. (Note: In 2013 an underground pipe was installed to correct the flooding). **Andrew Halloran:** The best I can go from the writing of the resident is that those conditions currently or since then has been addressed. Now whether or not there are concerns with the additional parking may increase the risk of this happening again the only way I can respond to that is the way we are proposing this new detention pond providing more volume to account for the additional parking. It will operate more sufficiently and cleanly begin that it is underground, and also provide more greenery on that side by taking away that detention pond. With a bigger system than what is currently out there should correct any erosion.

Board Member DeMont Davis: With the decrease of green space and increase of concrete, we have an increase of runoffs. Where is this runoff going to go, will it go into a neighbor's yard who have put money into that home? I just want to make sure our residents are safe and their investment is protected? **Andrew Halloran:** Making sure we comply with the Ordinances, not to mention anybody at the Airport these detention pond systems are the best use in practice to provide to the community as recommended by Clayton County in Ordinances and to provide additional volume to help control that water to let it go out at a slower rate and provide safety values we are controlling this water through regulations.

Board Member Keith Parker: Is that also maybe then a statement that there is standing water in that area that's going to allow then slower seepage into the detention system? **Andrew Halloran:** The detention pond system is designed to when open to have 24 to 72 hours that you would have standing water, but with the underground detention pond you will get less.

Board Member Joe Hamilton: The discharge rate will not increase?

Board Member Keith Parker: Are we treating those contained areas?

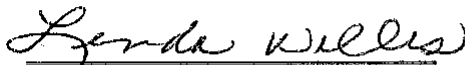
Chairman Don McMillian, Jr.: Currently detention ponds are treated by the County for mosquitos, the Department of Health has a program.

LaShawn Gardiner: The Department of Health does have a program where they actual go out during certain of the year.

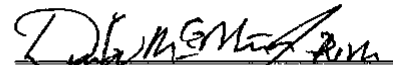
The motion to **approve** BZA-16/02-84 was made by Board Member Joe Hamilton and seconded by Chairman Don McMillian, Jr. The vote was 4 to 1 with Keith Parker opposing.

There being no further business the motion to adjourn was made by Chairman Don McMillian, Jr. and seconded by Board Member Frances Solomon. The vote was unanimously.

The meeting was adjourned at 7:20p.m.



Linda Willis, Assisting Secretary
Zoning Board of Appeals
Clayton County, Georgia



Don McMillian, Jr., Chairman
Zoning Board of Appeals
Clayton County, Georgia