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Clayton County
Planning, Zoning & Sustainability
Office
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236



Madolyn Spann
ZONING ADMINISTRATOR

Board of Zoning Appeals
Meeting Minutes of January 21, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of January 21, 2021 via In-Person and ZOOM Video Conferencing.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey. Present from the Planning & Zoning Sustainability Department was Keedra T. Jackson. John O'Neal was present from the Legal Department.

Members present via ZOOM Conferencing were: Board Member Gloria McCain, Board Member Van Shrieves, Sr., and Board Member Attania Jean-Funny. Madolyn Spann and Linda Willis from Planning & Zoning Sustainability Department.

Members absent: Board Member Kathy Robison.

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The motion to **approve** the minutes of December 17, 2020 was made by Board Member Attania Jean-Funny and seconded by Board Member Van Shrieves, Sr. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees.

1. **Election of officers.**

The motion to approve the election of the following officers unanimously are as follow:

- a. Frances Solomon – Chairman Motion by Gloria McCain and seconded by Van Shrieves, Sr.
- b. Larry W. Bussey – Vice Chairman Motion by Van Shrieves, Sr. and seconded by Attania Jean-Funny
- c. Attania Jean-Funny – Secretary Motion by Larry W. Bussey and seconded by Carlton Holloway
- d. Linda Willis – Assistant Secretary Motion by Larry W. Bussey and seconded by Attania Jean-Funny.

The Public Hearing procedures was presented by Linda Willis.

Chairman Frances Solomon called for old business: **NONE**

Chairman Frances Solomon called for new business:

1. BZA-2011-0099 – Commissioner District 4- DeMont Davis

The Applicant, Teodora Heredia, is requesting a variance to reduce the front yard setback from 10' to 4.5 for conformity of an existing carport (Article 3, Section 3.8). The subject property is located at 8334 Marlborough Dr., which is further known as Parcel number 13237D B009. The subject property is zoned RS-110 (Single Family Residential). The property is approximately 0.26 +/- acres of land.

2. BZA-2012-0100- Commissioner District 1- Sonna Singleton Gregory

The Applicant, Harold Buckley, on behalf of Race Trac, is requesting three (3) sign variances: 1.) To increase the maximum ground sign dimensions (Article 8, Section 8.14); 2.) To increase maximum wall canopy sign dimensions (Article 8, Section 8.8); 3.) To increase the dimension of internal directional sign (Article 8, Section 8.14). The subject property is located at 4443 and 0 Old Dunn Ct., which is further known as Parcel numbers 12236C B006 and 12236C B004. The subject property is zoned HI (Heavy Industrial) and is located in the Highway 42 Overlay. The property is approximately 6.630 +/- acres of land.

3. BZA-2012-0102 – Commissioner District 1- Sonna Singleton Gregory

The Applicant, Harold Buckley, on behalf of Race Trac, is requesting two (2) variances: 1.) To increase impervious surface (Article 3, Section 3.32) and 2.) To eliminate the parking lot island requirement (Article 6, Section 6.34, LA-02.C.2). The subject property is located at 4443 and 0 Old Dunn Ct., which is further known as Parcel numbers 12236C B006 and 12236C B004. The subject property is zoned HI (Heavy Industrial) and is located in the Highway 42 Overlay. The property is approximately 6.630 +/- acres of land.

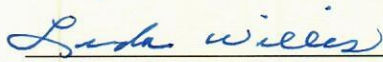
4. BZA-2012-0101 – Commissioner District 4- DeMont Davis

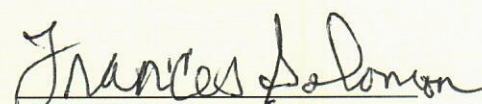
The Applicant, Nathan Jackson, on behalf of Fellowship Baptist Church, is requesting a variance to allow for a special exception for a parking lot expansion (Article 9, Section 9.5.A.6). The subject property is located at 157 Rountree, which is further known as Parcel numbers 13181D A004. The subject property is zoned RS-180 (Single Family Residential). The property is approximately 3.50 +/- acres of land.

The motion to move Items 1 through 4 to February 18, 2021 due to not meeting legal obligation of the posting of signs.

There being no further business the motion to adjourn was made by Board Member Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

The meeting adjourned at 7:13p.m.


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


Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

JEFFREY E. TURNER
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Madolyn Spann
ZONING ADMINISTRATOR

Board of Zoning Appeals
Meeting Minutes of February 18, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of February 18, 2021 via In-Person and ZOOM Video Conferencing.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey. Present from the Planning & Zoning Sustainability Department was Madolyn Spann, Zoning Administrator, and Keedra T. Jackson. John O'Neal was present from the Legal Department.

Members present via ZOOM Conferencing were: Board Member Gloria McCain, Board Member Kathy Robison, Board Member Van Shrieves, Sr., and Board Member Attania Jean-Funny. Patrick Ejike, Director and Linda Willis from Planning & Zoning Sustainability Department.

Members absent: None

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The motion to **approve** the minutes of January 21, 2021 was made Vice Chair Larry W. Bussey and seconded by Board Member Kathy Robison. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures was presented by Linda Willis.

Chairman Frances Solomon called for old business: *(Moved from January 21st due to not meeting legal obligation of the posting of signs).*

1. BZA-2011-0099 – Commissioner District 4- DeMont Davis

The Applicant, Teodora Heredia, is requesting a variance to reduce the side yard setback from 10' to 4.5 for conformity of an existing carport (Article 3, Section 3.8). The subject property is located at 8334 Marlborough Dr., which is further known as Parcel number 13237D B009. The subject property is zoned RS-110 (Single Family Residential). The property is approximately 0.26 +/- acres of land.

The Staff Report for cases BZA-2011-0099 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The application of the regulations would not create a hardship of the already constructed carport; however, staff is of the understanding that many homeowners are not aware of local zoning regulations; therefore, Staff recommends **Approval with two (2) conditions**.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Jonathan Morales, located at 8334 Marlborough Drive, Jonesboro, GA, on behalf of Teodora Heredia.

Jonathan Morales: Stated the previous carport had begun to leak and erode away over time. He decided to construct new carport with no knowledge a building permit was required and is seeking a variance to bring the non-conforming carport into compliance.

Chairman Frances Solomon called for any public concerns/comments.

1. Israel Tovalin, located at 8328 Marlborough Drive, Jonesboro, GA. Stated he was the next door neighbor and he had no problems with the carport.

The motion to **approve with conditions** case BZA-2011-0099 was made by Board Member Attania Jean-Funny and seconded by Board Member Van Shrieves, Sr. The vote was unanimous.

Approved with the following conditions:

1. Comply with the submitted survey September 11, 2020, Titled: "Sonia Umana. Completed by United Land Surveying.
2. The homeowner shall not exceed 5.5' remaining on the west side yard.

2. BZA-2012-0100- Commissioner District 1- Sonna Singleton Gregory

The Applicant, Harold Buckley, on behalf of RaceTrac, is requesting three (3) sign variances: 1.) To increase the maximum ground sign dimensions (Article 8, Section 8.14); 2.) To increase maximum wall canopy sign dimensions (Article 8, Section 8.8); 3.) To increase the dimension of internal directional sign (Article 8, Section 8.14). The subject property is located at 4443 Old Dunn Court, and 2455 Anvil Block Road which is further known as Parcel numbers 12236C B006 and 12236C B004. The subject property is zoned HI (Heavy Industrial) and is located in the Highway 42 Overlay. The property is approximately 6.630 +/- acres of land.

The Staff Report for cases BZA-2012-0100 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The subject property is currently zoned HI-Heavy Industrial, which permits the proposed use of a RaceTrac travel center. The applicant's proposal is to develop a truck parking facility consisting of 274 parking spaces. Staff is of the opinion if relief is granted, it would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance; therefore, Staff recommends **Approval with three (3) conditions**.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Harold Buckley, located at 2849 Paces Ferry Road, Atlanta, GA, on behalf of RaceTrac.

Harold Buckley: Stated the Applicant is requesting various variances to allowed signs to be erected on the subject property for its' proposed development.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to **approve with conditions** case BZA-2012-0100 was made by Board Gloria McCain and seconded by Board Member Kathy Robinson. The motion was rescinded.

The motion to **approve with conditions** case BZA-2012-0100 was made by Vice Chair Larry W. Bussey and seconded by Board Member Kathy Robison. The vote was unanimous.

Approved with the following conditions:

1. Comply with the site plan submitted on December 7, 2020, titled "4443 Old Dunn Ct."
2. The applicant is required to submit a landscaping plan along with building elevations
3. The applicant must successfully complete the combination plat process prior to obtaining the LDP.
4. Signage in the rear of property height shall not exceed 23 feet and the monument sign shall be of 11 feet in height.

3. BZA-2012-0102 – Commissioner District 1- Sonna Singleton Gregory

The Applicant, Harold Buckley, on behalf of RaceTrac, is requesting two (2) variances: 1.) To increase impervious surface (Article 3, Section 3.32) and 2.) To eliminate the parking lot island requirement (Article 6, Section 6.34, LA-02.C.2). The subject property is located at 4443 Old Dunn Ct., and 2455 Anvil Block Road which is further known as Parcel numbers 12236C B006 and 12236C B004. The subject property is zoned HI (Heavy Industrial) and is located in the Highway 42 Overlay. The property is approximately 6.630 +/- acres of land.

The Staff Report for cases BZA-2012-0102 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The subject property is currently zoned HI-Heavy Industrial, which permits the proposed use of a RaceTrac travel center. The applicant's proposal is to develop a truck parking facility consisting of 274 parking spaces as accessory to the fueling station. Staff is of the opinion that the requested variances would not cause substantial detriment to the surrounding properties therefore, Staff recommends **Approval with two (2) conditions**.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Harold Buckley, located at 2849 Paces Ferry Road, Atlanta, GA, on behalf of RaceTrac.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to **approve with conditions** case BZA-2012-0102 was made by Board Member Kathy Robison and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

Approved with the following conditions:

1. Comply with the site plan submitted on December 7, 2020, via email, titled "4443 Old Dunn Ct."
 2. The applicant must have approved a combination plat of Parcels prior to obtaining the LDP.
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4. BZA-2012-0101 – Commissioner District 4- DeMont Davis

The Applicant, Nathan Jackson, on behalf of Fellowship Baptist Church, is requesting a variance to allow for a special exception for a parking lot expansion (Article 9, Section 9.5.A.6). The subject property is located at 157 Rountree, which is further known as Parcel numbers 13181D A004. The subject property is zoned RS-180 (Single Family Residential). The property is approximately 3.50 +/- acres of land.

The Staff Report for cases BZA-2012-0101 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: Stated the Applicant has requested to **withdraw** their variance request. Staff is in acceptance of the request to withdraw.

The motion to **withdraw** case BZA-2012-0101 was made by Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

Chairman Frances Solomon called for new business:

1. BZA-2011-0097 – Commissioner District 4- DeMont Davis

The Applicant, Jon Jordan, on behalf of Hecht Walker, is requesting two (2) variances: 1.) To allow gasoline pump islands in front of the building (Article 4, Section 4.22) and 2.) To allow more than 25% parking to be in the front of the primary building as shown on the Applicant's Conceptual Site Plan (Article 4, Section 4.18). The subject property is located at 5690 Riverdale Rd, which is further known as Parcel number 13088C A007. The subject property is zoned GB (General Business) and is located in the Cherry Hills Overlay. The property is approximately 0.92 +/- acres of land.

The Staff Report for cases BZA-2011-0097 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The proposed variance would not have a negative effect on the community due to the proposed development is compatible with the surrounding properties. As noted, the site was previously utilized as a gas station. The applicant is seeking to demolish a rebuild a more modern gas station that is preventable due to the Highway 42 Overlay standards. Staff recommends **Approval with four (4) conditions**.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Jon Jordan, located at 205 Corporate Center Drive, Stockbridge, GA, on behalf of Hecht Walker.

Chairman Frances Solomon called for any public concerns/comments. There were none.

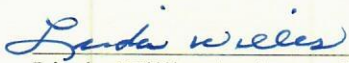
The motion to **approve with conditions** case BZA-2011-0097 was made by Board Member Gloria McCain and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

Approved with the following conditions:

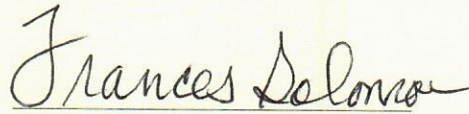
1. The site shall be limited to a convenience store with no more than 4 (four) fuel pumps. The existing canopy shall be removed and replaced as approved by the Board of Zoning Appeals.
2. All trash refuse areas are to be enclosed on three sides with brick or other masonry materials consistent with the primary structure.
3. No outside vending (vending machines).
4. Provide one (1) trash receptacle container for each service pump and at store entrance.

There being no further business the motion to adjourn was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The meeting adjourned at 7:40p.m.



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



Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

JEFFREY E. TURNER
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Madolyn Spann
ZONING ADMINISTRATOR

Board of Zoning Appeals
Meeting Minutes of March 18, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of March 18, 2021 via In-Person and ZOOM Video Conferencing.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey. Present from the Planning & Zoning Sustainability Department was Madolyn Spann, Zoning Administrator, and Keedra T. Jackson. John O'Neal was present from the Legal Department.

Members present via ZOOM Conferencing were: Board Member Gloria McCain, Board Member Kathy Robison, Board Member Van Shrieves, Sr., and Board Member Attania Jean-Funny. Patrick Ejike, Director and Linda Willis from Planning & Zoning Sustainability Department.

Members absent: None

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The motion to **approve** the minutes of February 18, 2021 was made Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures was presented by Linda Willis.

Chairman Frances Solomon called for old business: **None.**

Chairman Frances Solomon called for new business:

1. BZA-2101-0103 – Commissioner District 1 - Sonna Singleton Gregory

The Applicant, Civil Consulting Engineers, Inc., on behalf of Food Lion, is requesting a variance to allow parking between the primary façade of the commercial building and the street (Article 3, Section 3.22. E.2) for a new convenience store. The subject property is located at 2631 and 2661 Rex Road, which is further known as Parcel Numbers 12149D

A007 and 12149D A001. The subject property is zoned GB (General Business) and is located near the intersection of Mt. Zion Boulevard and Rex Road. The property is approximately 7.98 +/- acres of land

The Staff Report for cases BZA-2101-0103 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The subject property is currently zoned GB-General Business, which permits the proposed use of a C Store and gas station. The applicant's proposal is to develop a convenience store and gas station consisting of parking spaces to be located between the primary façade of the commercial building and the street as oppose to the rear yard. ZAG held a meeting on March 1, 2021 and made a recommendation to deny the CUP request associated with this variance. The BOC approved with conditions the CUP request on March 16, 2021. Staff's recommendation is approval with eight (8) conditions.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Terry Boomer, located at 211 East Main Street, Canton, GA, on behalf of Food Lion.

Terry Boomer: Stated it would make it safer if parking was allowed in the front.

Chairman Frances Solomon called for any public concerns/comments.

1. Jacqueline Ficklin, stated she was concerned with the impact on the ground water systems from leaking fuel tanks contaminating the drinking water which can exposed them to health issues. She also stated there was need for another gas station.

The motion to **approve with conditions** case BZA-2101-0103 was made by Board Member Kathy Robison and seconded by Board Member Gloria McCain. The vote was 4 to 2. Vice Chair Larry W. Bussey and Board Member Attania Jean-Funny opposed.

Approved with the following conditions:

1. **The applicant must successfully complete the combination plat process prior to obtaining the LDP.**
2. **A lot combination or subdivision of land may not create a land lot without a road access point to either Rex Road or Mount Zion Road.**
3. **The site shall be limited to a convenience store, gasoline fuel pumps (no more than 5 service pumps), and additional retail services subject to the permitted uses within section 3.21 of the Clayton County Zoning Ordinance. Additionally, the site shall include landscaping, open play area, and the architectural appearance reflected within the applicants submitted site plan and graphics.**
4. **All trash refuse areas are to be enclosed on three sides with brick or other masonry material consistent with the primary building's materials.**
5. **No outside vending (vending machines).**
6. **Provide one (1) trash receptacle container for each service pump and at the store entrance.**
7. **Provide a 6' opaque fence along southern and eastern rear property lines.**

8. Meet all internal access agreements to be reviewed by the Transportation and Development Department.

2. BZA-2101-0104- Commissioner District 1 - Sonna Singleton Gregory

The Applicant, Civil Consulting Engineers, Inc., on behalf of Wallace Hoover, is requesting a variance to allow 100% of the parking to be located in the front yard (Article 4, Section 4.34.D.1) for a new C-Store. The subject property is located at 6403 and 6391 Highway 42, which is further known as Parcel Numbers 12119D B008 & 12119D B010. The subject properties are zoned RS-110 (Single Family Residential) and GB (General Business). The subject properties are located near the intersection of Fielder Rd and in the Highway 42 Overlay. The property is approximately 1.68 +/- acres of land.

The Staff Report for cases BZA-2101-0104 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The subject property is currently zoned HI-Heavy Industrial, which permits the proposed use of a C Store and gas station. The applicant's proposal is to develop a convenience store and gas station consisting of more than 50% parking spaces be located in the front yard as oppose to the rear yard. Additionally, the proposed access from Fielder Road poses some safety concerns given its proximity to the intersection of Highway 42 and Fielder Road. The operations of gas stations are generally in sync with peak traffic periods during the times the intersection is at its peak. ZAG on March 1, 2021 made a recommendation to deny the CUP request associated with this variance. The BOC on March 16, 2021 recommended to table the CUP request. Staff's recommendation is to table the variance request until May 20, 2021.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Terry Boomer, located at 211 East Main Street, Canton, GA, on behalf of Wallace Hoover.

Chairman Frances Solomon called for any public concerns/comments.

1. Regina Deloach, located in unincorporated Clayton County. She stated there was 11 gas station already in this area and we didn't need anymore. Also was concerned about the effect of the environment.
2. Jean Claude, located in unincorporated Clayton County. Agreed with Ms. Regina Deloach.
3. Drew Andrews, located in unincorporated Clayton County. Stated if the gas station is promoting a convenience store, why limit the parking.

The motion to **table** case BZA-2101-0104 until May 20, 2021 was made by Board Gloria McCain and seconded by Board Member Kathy Robinson. The vote was unanimous.

3. BZA-2101-0105 – Commissioner District 4 - DeMont Davis

The Applicant, Patrick Kelly, is requesting a variance to the North Tara Boulevard Overlay District, Article 4.17 and companion Design Guidelines Section 2.1.D and related standards. The applicant requests relief from the standard that requires all residential

developments to have rear entry access to garages. The subject property is located at 6754 Tara Boulevard, further known as Parcel Number 13146C A001. The subject property is zoned RM-Residential Multi-family on 9.10 acres of land and is proposed for approximately 103 single family attached townhomes.

The Staff Report for cases BZA-2101-0105 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: Due to the surrounding property letters not being mailed in sufficient time to allow adequate notice to the surrounding community, staff is recommending to **Table** the petition to the April 15, 2021 BZA Hearing.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to **table** case BZA-2101-0105 until April 15, 2021 was made by Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

4. BZA-2101-0106 – Commissioner District 3- Felecia Franklin

The Applicant, Champion Window, on behalf of Hiram Patterson, is requesting a variance to encroach 2.7 feet into rear setback to build a screen porch (Article 3, Section 3.5) for single-family dwelling addition. The subject property is located at 11085 Landon Way, which is further known as Parcel Number 05113B C003. The subject property is zoned RS-180 (Single Family Residential) and is located near the intersection of Milano Lane and Landon Way. The property is approximately 0.21 +/- acres of land.

The Staff Report for cases BZA-2101-0106 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: Encroachment into the rear yard is necessary as the rear lot is substantially reduced by the lot configuration of the undisturbed land owned by the HOA in the rear of the subject property. Additionally, the position of the house poses a hardship which leaves the desired location of the screened porch as the most feasible location. Staff finds the proposed setback reduction as reasonable. Staff recommends **APPROVAL with one (1) condition:**

1. The rear yard setback shall not exceed 2.7 feet in reduction as shown on the site plan dated 09/03/2020, titled "Hiram Patterson".

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was not present.

The motion to **table** case BZA-2101-0106 until April 15, 2021 was made by Vice Chair Larry W. Bussey and seconded by Board Member Gloria McCain. The vote was unanimous.

5. BZA-2101-0107 – Commissioner District 1 – Sonna Singleton Gregory

The Applicant, Civil Consulting Engineers, on behalf of Theodore Phillips, is requesting two variances: 1) To allow more than 50% of the parking to be in the front yard (Article 4, Section 4.34.D.1); 2.) To seek a 33% parking reduction (Article 6, Section 6.32.L.D) for a new convenience store. The subject property is located at 5020 Highway 42, which is further known as Parcel Number 12204D B003. The subject property is zoned HI (Heavy Industrial) and is located in the Highway 42 Overlay District. This property is located at the intersection of Southaven Road and Highway 42. The property is approximately 3.50 +/- acres of land.

The Staff Report for cases BZA-2101-0107 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The Highway 42 Overlay presents a hardship on new developments such as gas stations in regards to location of pumps and parking. Typically, safety and convenience will be a justification to the variance request of the Highway 42 Overlay. Although the proposed development lends concern in regards to public health, safety, and general welfare of the community, the requested petition reasonable, Staff recommends **APPROVAL with one (1) condition.**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Terry Boomer, located at 211 East Main Street, Canton, GA, on behalf of Theodore Phillips.

Chairman Frances Solomon called for any public concerns/comments. There were none.


The motion to **approve with conditions** case BZA-2101-0107 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

Approved with the following conditions:

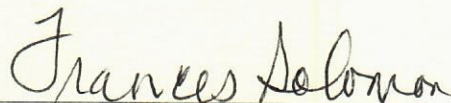
1. The development shall be consistent with the site plan dated 01/24/21, titled "Proposed C-Store".
-

There being no further business the motion to adjourn was made by Board Member Gloria McCain and seconded by Board Member Kath Robison. The vote was unanimous.

The meeting adjourned at 7:55p.m.



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



Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

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Madolyn Spann
ZONING ADMINISTRATOR

Board of Zoning Appeals
Meeting Minutes of April 15, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of April 15, 2021 via In-Person and ZOOM Video Conferencing.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey. Present from the Planning & Zoning Sustainability Department was Madolyn Spann, Zoning Administrator, and Keedra T. Jackson.

Members present via ZOOM Conferencing were: Board Member Gloria McCain, Board Member Kathy Robison, Board Member Van Shrieves, Sr., and Board Member Attania Jean-Funny. Patrick Ejike, Director and Linda Willis from Planning & Zoning Sustainability Department. John O'Neal was present from the Legal Department.

Members absent: None

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The motion to **approve** the minutes of March 18, 2021 was made Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures was presented by Linda Willis.

Chairman Frances Solomon called for old business:

1. BZA-2101-0105

The Applicant, Patrick Kelly, is requesting a variance to the North Tara Boulevard Overlay District, Article 4.17 and companion Design Guidelines Section 2.1.D and related standards. The applicant requests relief from the standard that requires all residential developments to have rear entry access to garages. The subject property is located at 6754 Tara Boulevard, further known as Parcel Number 13146C A001. The subject property is

zoned RM-Residential Multi-family on 9.10 acres of land and is proposed for approximately 103 single family attached townhomes.

Commissioner District 4 - DeMont Davis

The Staff Report for cases BZA-2101-0105 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The subject property is the vacant and underutilized lot formerly the home of Legacy Park Apartments. The applicant is seeking to build 106 apartment townhome units; the Tara Boulevard Design Guidelines propose a hardship in regards to requiring garages to be located in the rear of the units. Given the narrowness of the property, the ability to provide rear entry and a primary access drive places a hardship on the development's layout. Plan policies encourages redevelopment of vacant properties to promote feasible development that will overturn blighted properties. Staff Recommends **approval with eight (8) conditions.**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Scott Bennett, located at 317 Norway Spruce Court, Locust Grove, GA.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to **approve with conditions** case BZA-2101-0105 was made by Board Member Gloria McCain and seconded by Vice Chair Larry W. Bussey. The vote was 4 to 2. Board Member Van Shrieves, Sr., and Board Member Attania Jean-Funny opposed.

Approved with the following conditions:

1. **No street parking except for designated guest spaces.**
2. **“No Parking” signs placed in ROW by developer consistent with the County’s imposition of a no parking zone.**
3. **The HOA control parking in the guest parking spaces so that owners do not use the spaces for their own additional space.**
4. **Garages cannot be converted into living space.**
5. **No blocking sidewalks with cars.**
6. **Applicant must complete preliminary plat review prior to be submitting for TRC Review and building permits.**
7. **Clayton County to impose no on-street parking once the road has been dedicated to the County.**
8. **Detention Ponds must be fenced.**

2. BZA-2101-0106

The Applicant, Champion Window, on behalf of Hiram Patterson, is requesting a variance to encroach 2.7 feet into rear setback to build a screen porch (Article 3, Section 3.5) for single-family dwelling addition. The subject property is located at 11085 Landon Way, which is further known as Parcel Number 05113B C003. The subject property is zoned RS-180 (Single Family Residential) and is located near the intersection of Milano Lane and Landon Way. The property is approximately 0.21 +/- acres of land.

Commissioner District 3- Felecia Franklin

The Staff Report for cases BZA-2101-0106 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: Encroachment into the rear yard by 2.7 feet will not have a negative impact on the adjacent properties. The position of the house leaves the desired encroachment of the screened porch as the most feasible location. Staff recommends **approval with one (1) condition**.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Amy Powell, located 3700 DeKalb Tech Parkway, Atlanta, GA.

The motion to **approve with condition** case BZA-2101-0106 was made by Board Member Attania Jean-Funny and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

Approve with the following condition:

1. The rear yard setback shall not exceed 2.7 feet in reduction and shall reflect the porch dimensions as shown on the site plan dated 09/03/2020, titled "Hiram Patterson".

Chairman Frances Solomon called for new business:

1. BZA-2103-0108

The Applicant, Battle Law, P.C., on behalf of AutoNation, Inc. is requesting two (2) variances: 1) To waive the requirement of parking islands in a new parking lot (Article 6, Section 6.34 (LA-2.C) and 2) To waive the requirement of curb cuts and wheel stops (Article 4, Section 4.18) for a vehicle sales display parking lot. The subject property is located at 2440 Anvil Block Road, zoned HI- Heavy Industrial and is located within the Highway 42 Overlay District. The property is approximately 4.73 +/- acres of land and further known as Parcels 12213A A001, 12213A A002, 12213A A003, and 12236C C001.

Commissioner District 1- Sonna Singleton Gregory.

The Staff Report for cases BZA-2103-0108 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: The subject property is currently zoned HI- Heavy Industrial, which permits the proposed use of parking lot. The applicant's proposal is to develop an extended parking lot from the existing parking lot located at 2491 Old Anvil Block. The use and value of the area adjacent to the property will not be affected in a substantially manner. There is a neighboring property owner that has taken issue with AutoNation having to park some of the vehicles along Old Anvil Block Road. Allowing the variance will alleviate this situation, allowing the applicant to remove the vehicles from Old Anvil Block Road to a parking lot. Staff's recommendation **approval with three (3) conditions**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Michele Battle, located at One West Court Square, Decatur, GA.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to **approve with conditions** case BZA-2103-0108 was made Board Member Attania Jean-Funny and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

Approved with the following conditions:

1. The applicant must successfully complete the combination plat process prior to obtaining the LDP. Parcels to be combined: 12213A A001, 12213A A002, 12213A A003 and 12236C C001
 2. The applicant shall apply with the site plan titled "Prime Auto Resources", dated February 25, 2021.
 3. There shall be no street parking at any time and there shall be no parking signs posted. The applicant must provide approval documentation for the road abandonment.
 4. Provide peripheral landscaping.
-

2. BZA-2103-0109

The Applicant, Karl Lutjens, on behalf of Ali Bhai Investments, Inc., is requesting a variance: 1) To reduce the number of required parking spaces up to 25% (Article 4, Section 4.34 and 6.32) for the construction of a new Convenience Store with gas fuel sales and an attached drive-thru restaurant. The subject property is located at 2901 Anvil Block Road, which is further known as Parcel 12235D A002. The subject property is zoned MXI (Mixed Use Industrial) and is located within the Highway 42 Overlay on approximately 0.88 +/- acres of land.

Commissioner District 1- Sonna Singleton Gregory

The Staff Report for cases BZA-2103-0109 was given by Keedra Jackson of Planning and Zoning Sustainability.

Keedra Jackson: This variance has a companion case, Conditional Use Permit BOC-2104-0107, which is scheduled to go before ZAG on May 3rd and BOC May 18th. Staff is awaiting the final decision before proceeding with the variance. Staff Recommends **to table to May 20, 2021.**


Chairman Frances Solomon called for the petitioner to present their case.

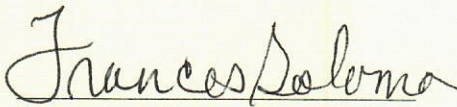
The petitioner was not present.

The motion to **table** case BZA-2103-0109 until May 20, 2021 was made by Vice Chair Larry W. Bussey and seconded by Board Gloria McCain. The vote was unanimous.

There being no further business the motion to adjourn was made by Board Member Gloria McCain and seconded by Board Member Kath Robison. The vote was unanimous.

The meeting adjourned at 7:55p.m.


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


Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

JEFFREY E. TURNER
CHAIRMAN
SONNA SINGLETON-GREGORY
District 1
GAIL B. HAMBRICK
District 2
Felicia Franklin Warner
District 3
DeMont Davis
District 4

Clayton County
Planning, Zoning & Sustainability
Office
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236



Madolyn Spann
ZONING ADMINISTRATOR

Board of Zoning Appeals
Meeting Minutes of May 20, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of May 20, 2021 via In-Person and ZOOM Video Conferencing.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey. Present from the Planning & Zoning Sustainability Department was Madolyn Spann, Zoning Administrator.

Members present via ZOOM Conferencing were: Board Member Gloria McCain, Board Member Kathy Robison, Board Member Van Shrieves, Sr., and Board Member Attania Jean-Funny. John O'Neal was present from the Legal Department.

Members absent: None

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Vice Chair Larry W. Bussey and seconded by Board Member Gloria McCain. The vote was unanimous.

The motion to **approve** the minutes of April 15 2021 was made Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures were presented by Madolyn Spann.

Chairman Frances Solomon called for old business:

1. BZA-2101-0104-

The Applicant, Civil Consulting Engineers, Inc., on behalf of Wallace Hoover, is requesting a variance to allow 100% of the parking to be located in the front yard (Article 4, Section 4.34.D.1) for a new convenience store. The subject property is located at 6403 and 6391 Highway 42, which is further known as Parcel Numbers 12119D B008 & 12119D B010. The subject properties are zoned RS-110 (Single Family Residential) and GB (General Business). The subject properties are located near the intersection of Fielder Rd and in the Highway 42 Overlay. The property is approximately 1.68 +/- acres of land.

Commissioner District 1 - Sonna Singleton Gregory

The Agenda description for case BZA-2101-0104 was read by Madolyn Spann, Zoning Administrator.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Terry Boomer, located at 211 East Main Street, Canton, GA, on behalf of Wallace Hoover.

Terry Boomer: Stated the Board of Commissioners approved their rezoning request and at this time we would like this Board to consider their variance request to park in the front yard.

Chairman Frances Solomon called for any public concerns/comments. There were none.

Mr. Shrieves suggested a Condition #4 be added requiring the fence to be a minimum of 8 feet along the rear and interior side property line.

The motion to **approve with Staff conditions**, case BZA-2101-0104, was made by Vice Chair Larry W. Bussey and seconded by Board Member Kathy Robinson. The vote was 4 to 2. Board Member Van Shrieves, Sr. and Board Member Attania Jean-Funny opposed.

Approved with the following conditions:

1. **Comply with the revised site plan dated December 30, 2020, Titled "Proposed C Store W/Retail." Stamped by Terry Boomer on 04/22/2021 and submitted to staff on April 26, 2021.**
2. **The applicant must successfully complete the combination plat process prior to obtaining the LDP.**
3. **Provide parking and service pumps in the front yard as shown on Site Plan dated December 30, 2020, Titled "Proposed C Store W/Retail." Stamped by Terry Boomer on 04/22/2021. A minimum of 34 spaces shall be provided.**
4. **Provide and maintain an 8-foot fence along the rear and interior side property line interior to the required buffer.**

2. BZA-2103-0109

The Applicant, Karl Lutjens, on behalf of Ali Bhai Investments, Inc., is requesting a variance: 1) To reduce the number of required parking spaces up to 25% (Article 4, Section 4.34 and 6.32) for the construction of a new Convenience Store with gas fuel sales and an attached drive-thru restaurant. The subject property is located at 2901 Anvil Block Road, which is further known as Parcel 12235D A002. The subject property is zoned MXI (Mixed Use Industrial) and is located within the Highway 42 Overlay on approximately 0.88 +/- acres of land.

Commissioner District 1- Sonna Singleton Gregory

The Agenda description for case BZA-2103-0109 was read by Madolyn Spann, Zoning Administrator.

Madolyn Spann: Staff Recommends Approval with three (3) Conditions to reduce parking up to 25%.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Lauren Simenson, located at 114 Old Mill Road, Cartersville, GA, on behalf of Ali Bhai Investments, Inc.

Lauren Simenson: Stated the propose development will consist of a convenience store with gas fuel sales and a Captain D's drive-thru restaurant, which is the first of this type.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to **approve with Staff conditions**, case BZA-2103-0109, was made by Board Gloria McCain and seconded by Board Kathy Robison. The vote was 4 to 2. Board Member Van Shrieves, Sr. and Board Member Attania Jean-Funny opposed.

Approved with the following conditions:

1. **The site shall be limited to a convenience store with retail and gasoline service station with no more than 4 (four) service pumps.**
2. **The convenience store gas station shall not exceed 2600sf and the restaurant shall not exceed 1400sf.**
3. **The minimum required parking shall be 24 parking spaces and shall not exceed 26 spaces.**
4. **The applicant shall comply with the site plan titled "Ellenwood C Store", dated March 1, 2020.**
5. **The applicant shall comply with the 6 (six) conditions associated with BOC-2104-0107.**

Chairman Frances Solomon called for new business:

1. BZA-2104-0112

The Applicant, Lee Webb, on behalf of Jimmy Nguyen, is requesting two variances: 1) To waive the landscape island requirement (Section 6.34 LA-02 A) and 2) A relief from the curb stop requirement (Section 6.32 PK-03 E) for the construction of a 72-space truck parking lot. The subject property is located at 3949 Thurman Road, which is further known as Parcel 12241A A004. The subject property is zoned HI (Heavy Industrial) and is approximately 2.364 +/- acres of land.

Commissioner District 1- Sonna Singleton Gregory

The Agenda description for case BZA-2104-0112 was read by Madolyn Spann, Zoning Administrator.

Staff Recommends **APPROVAL with 4 conditions**.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Lee Webb, located at 409, John Wesley Dobbs Avenue, Atlanta, GA.

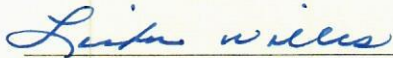
Chairman Frances Solomon called for any public concerns/comments.

1. Perry Crane, located at 83995 Thurman Road, Conley, GA. spoke in opposition. He stated at one time this was a residential house that was tied to the trucking company. The use will be a hazard to the residence with the traffic, because it is a two (2) lane road. He was also concerned about stormwater run-offs.

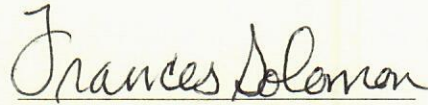
The motion to **table** case BZA-2104--0112 until June 17, 2021 to provide more information on parking islands and alternate island sizes was made Board Member Attania Jean-Funny and seconded by Board Member Van Shrieves, Sr. The vote was unanimous.

There being no further business the motion to adjourn was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

The meeting adjourned at 8:15p.m.



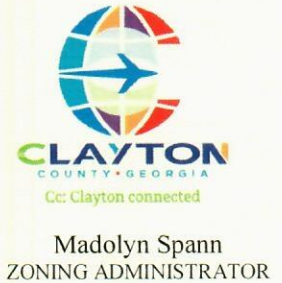
Linda Willis, Assistant Secretary
Board of Zoning Appeals
Clayton County, Georgia



Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

JEFFREY E. TURNER
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Clayton County
Planning, Zoning & Sustainability
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121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236



Board of Zoning Appeals
Meeting Minutes of June 17, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of June 17, 2021 via In-Person and ZOOM Video Conferencing.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey. Present from the Planning & Zoning Sustainability Department was Madolyn Spann, Zoning Administrator and Keedra Jackson.

Members present via ZOOM Conferencing were: Board Member Gloria McCain, Board Member Kathy Robison, Board Member Van Shrieves, Sr., and Board Member Attania Jean-Funny. John O’Neal was present from the Legal Department. Patrick Ejike, Director, and Linda Willis from the Planning & Zoning Sustainability Department. Addie Whittaker from the Board of Zoning Advisory Group.

Members absent: None

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The motion to **approve** the minutes of June 17 2021 was made Vice Chair Larry W. Bussey and seconded by Board Member Kathy Robison. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business: **Tabled cases from the May 20th meeting.**

1. BZA-2104-0112

The Applicant, Lee Webb, on behalf of Jimmy Nguyen, is requesting two variances: 1) To waive the landscape island requirement (Section 6.34 LA-02 A) and 2) A relief from the curb stop requirement (Section 6.32 PK-03 E) for the construction of a 72-space truck parking lot. The subject property is located at 3949 Thurman Road, which is further known

as Parcel 12241A A004. The subject property is zoned HI (Heavy Industrial) and is approximately 2.364 +/- acres of land.

Commissioner District 1- Sonna Singleton Gregory

The Agenda description for case BZA-2104-0112 was read by Keedra Jackson, Senior Planning Consultant.

Staff Recommends **APPROVAL with 4 conditions.**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Lee Webb, located at 409 John Wesley Dobbs Avenue, Atlanta, GA.

Chairman Frances Solomon called for any public concerns/comments.

1. Perry Crane, located at 3995 Thurman Road, Conley, GA. spoke in opposition. He stated at one time this was a residential house that was tied to the trucking company. The use will be a hazard to the residence with the traffic, because it is a two (2) lane road. He was also concerned about stormwater run-offs, and the two addresses listed where they want to put the trucking parking on 3929 Thurman Road which is a wooded lot.
2. Wayne Norris, previous owner of the property located at 3929 Thurman Road, Conley, GA. Stated his concerns were flooding and traffic.

Lee Webb: Stated there was some misunderstanding about the addresses, the correct property is 3949 Thurman Road. There will be curbs/pipes to catch and take the run-off to the detention pond and screening buffers

The motion to approve with conditions case BZA-2104-0112 was made Board Member Kathy Robison and seconded by Board Member Gloria McCain. The vote was 2 to 3.

The vote resulted in an automatic **denial** of case BZA-2104-0112.

Chairman Frances Solomon called for New Business:

1. BZA-2103-0110

The Applicant, Christine Godbolt is requesting a variance: 1) To allow an existing garage to remain enclosed for living space (Section 6.7). The subject property is located at 1471 Ravens Run, which is further known as Parcel 12048B A041. The subject property is zoned RS-110 (Single Family Residential) and is approximately 0.5 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2103-0110 was read by Keedra Jackson, Senior Planning Consultant.

Staff Recommends Approval with two (2) Conditions to allow an existing garage to remain enclosed for living space.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Christine Godbolt, located at 1471 Ravens Run, Jonesboro, GA.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to **approve with conditions** case BZA-2103-0110, to allow an existing garage to remain enclosed for living space was made by Vice Chair Larry W. Bussey and seconded by Board Attania Jean-Funny. The vote was unanimous.

Approved with the following conditions:

1. The structure shall maintain the appearance of having a garage by maintaining the current garage door appearance.
2. This variance provide relief to only the garage enclosure.

2. BZA-2104-0111

The Applicant, Moore Bass Consulting Inc, on behalf of Mount Zion 48, LLC, is requesting a variance: 1) To reduce the required number of parking spaces from 1.75 to 1.5 spaces per dwelling unity (Section 6.32.L) for the development of a 306-unit multi-family senior living facility. The subject property is located at 3035, 3071, and 3151 Mt. Zion Road, which is further known as Parcel #s 12047C A002, 12074D A002, and 12074D B001. The subject properties are zoned OI (Office Institutional) and MX (Mixed Use) and is approximately 20.62 +/- acres of land.

Commissioner District 1- Sonna Singleton Gregory

The Agenda description for case BZA-2104-0111 was read by Keedra Jackson, Senior Planning Consultant.

Staff Recommends Approval with two (2) conditions.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Mike Griffin, located at 999 Peachtree Street, Atlanta, GA.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to deny case BZA-2104--0111 was made Board Member Attania Jean-Funny. The motion died on the floor.

The motion to **approve with conditions** case BZA-2104-0111 to reduce the required number of parking spacing from 1.75 to 1.5 spaces per dwelling unity was made Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was 4 to 2. Board Members: Attania Jean-Funny and Van Shrieves, Sr. opposed.

Approved with the following conditions:

1. The applicant shall comply with the site plan dated December 1, 2020, titled "Mt. Zion Rd Multi Family"
2. The minimum parking spaces provided shall *be less than* a total of 450 parking spaces.

3. BZA-2104-0113

The Applicant, Southbound Development Group, on behalf of JMK Food Enterprise, LLC, is requesting a variance to allow parking between the primary building and street (Section 3.22.E) for the development of a fast food restaurant. The subject property is located at 3603 Highway 138, which is further known as Parcel # 12073D B003. The subject property is zoned GB (General Business) and is approximately 0.88 +/- acres of land.

Commissioner District 1 – Sonna Singleton Gregory

The Agenda description for case BZA-2104-0113 was read by Keedra Jackson, Senior Planning Consultant.

Staff Recommends Approval with two (2) conditions.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Michael Birnbrey, located at 300 Galleria Parkway, Atlanta, GA.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to deny case BZA-2104--0113 was made Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny The vote failed 2 to 4.

The motion to **approve with conditions** case BZA-2104-0113 to allow parking between the primary building and street for the development of a new restaurant with a drive-thru was made Board Member Kathy Robison and seconded by Board Member Gloria McCain. The vote was 4 to 2. Board Member Attania Jean-Funny and Vice Chair Larry W. Bussey opposed.

Approved with the following conditions:

1. The applicant shall comply with the site plan submitted on June 17, 2021 at the BZA meeting.
2. The variance request grants relief to Article 3.22, Section 2.0E.2. to allow parking in the front yard to remain.

4. BZA-2105-0114

The Applicant, Summit Design & Build, LLC, on behalf of homeowner, is requesting a variance to reduce the east side yard setback from 25' to 6.1' (Section 3.4) for the construction of a room addition and deck. The subject property is located at 8695 Shoreline Drive, which is further known as Parcel # 12012D A020. The subject property is zoned ER (Estate Residential District) and is approximately 1.016 acres +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2105-0114 was read by Keedra Jackson, Senior Planning Consultant.

Staff Recommends Approval with two (2) conditions.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Mark Jones, located at 1235 Commerce Drive, Morrow, GA.

Chairman Frances Solomon called for any public concerns/comments.

Michael Hyjek, located at 8730 North Shoal Drive, Jonesboro, GA. Stated the ER Standards should be maintained according to code. He stated if changes are allowed it would change the character of the area.

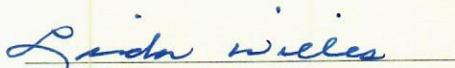
The motion to **approve with condition** case BZA-2105-0114 was made Board Member Attania Jean-Funny and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

Approved with the following conditions:

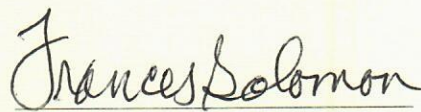
1. The applicant shall comply with the site plan submitted to staff dated April 8, 2021, titled "Site Plan for House Addition".
2. The variance shall only pertain to the east side yard reduction from 25 feet to 6.1 feet as depicted on the site plan.

There being no further business the motion to adjourn was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The meeting adjourned at 8:45p.m.



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



Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

Board of Zoning Appeals

JULY 15, 2021

NO MEETING SCHEDULE

JEFFREY E. TURNER
CHAIRMAN
SONNA SINGLETON-GREGORY
District 1
GAIL B. HAMBRICK
District 2
Felicia Franklin Warner
District 3
DeMont Davis
District 4

Clayton County
Planning, Zoning & Sustainability
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Jonesboro, Ga. 30236



Madolyn Spann
ZONING ADMINISTRATOR

Board of Zoning Appeals
Meeting Minutes of August 19, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of August 19, 2021 via In-Person and ZOOM Video Conferencing.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey. Present from the Planning & Zoning Sustainability Department was Madolyn Spann, Zoning Administrator and Keedra Jackson.

Members present via ZOOM Conferencing were: Board Member Gloria McCain, Board Member Van Shrieves, Sr., and Board Member Attania Jean-Funny. Cheryl Brooks, Assistant Director, and Linda Willis from the Planning & Zoning Sustainability Department.

Members absent: Board Member Kathy Robison.

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The motion to **approve** the minutes of June 17 2021 was made Board Member Gloria McCain and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

There were no July 15, 2021 minutes, due to no variance cases.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business: **None.**

Chairman Frances Solomon called for New Business:

1. BZA-2106-0115

The Applicant, Summit Design & Build is requesting two variances: 1) To reduce the east side setback from 25 ft. to 8.2 ft. for the construction of a garage (Section 3.4); 2) To increase the maximum lot coverage from 10% to 36.3%. The subject property is located at 3122 Lake Park Drive, which is further known as Parcel 12010C A023. The subject property is zoned ER (Estate Residential) and is approximately 1.73 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2106-0115 was read by Keedra Jackson, Senior Planning Consultant.

Staff is of the opinion that the variance request is a self-imposed hardship that is further increasing the impervious surface on a lot that currently exceeds the maximum coverage. **DENIAL.**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Adam Coleman, located at 8531 North Shoals Drive, Morrow, GA.

Chairman Frances Solomon called for any public concerns/comments:

1. Donald Whitman, located at 3040 Lake Park Drive, Jonesboro, GA. Stated the applicant should bring this request before the HOA prior to seeking a variance because it is against their covenants.
2. Charles Devonshire, located at 2964 Lake Park Drive, Jonesboro, GA. Stated this request was against their covenants. Within their covenant they have certain setbacks, also there should be no detached garages. He also was concerned about stormwater runoffs.
3. Kaaba Majeed, the property owner stated he received a signed letter from his neighbor Melvin Hopkins in support of this build. He also stated that he had gone over this request with the builder and was under the impression this was the first step, then the HOA.

The motion to **deny** case BZA-2106-0115 was made by Board Member Gloria McCain and seconded by Board Attania Jean-Funny. The vote was unanimous.

2. BZA-2106-0116

The Applicant, Logan Design Group, Intl., is requesting a variance: 1) To increase the maximum lot coverage from 10% to 18% for the construction of a new single-family home (Section 3.4). The subject property is located at 3133 Lake Park Drive, which is further known as Parcel 12010C A026. The subject property is zoned ER (Estate Residential) and is approximately 1.94 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2106-0116 was read by Keedra Jackson, Senior Planning Consultant.

Staff is of the opinion that the variance request is suitable in view of the use of adjacent and nearby properties. The surrounding properties are also narrow in width and experience similar lot width challenges. Staff recommends **Approval with two (2) conditions.**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Dietrich Logan, located at 365 Peachtree Hill Avenue, Atlanta, GA.

Chairman Frances Solomon called for any public concerns/comments:

1. Donald Whitman, located at 3040 Lake Park Drive, Jonesboro, GA. Stated they did not have any objections, but the request should be consistent with their covenant.
2. Charles Devonshire, located at 2964 Lake Park Drive, Jonesboro, GA. Stated they did not have any objections, but the request should be consistent with their covenant.
3. Blanca Durand. Stated her main concern was stormwater runoffs.

The motion to **approve with conditions** case BZA-2106-0116 to increase the maximum lot coverage from 10% to 18% for the construction of a new single-family home was made Board Member Attania Jean-Funny and seconded by Board Member Van Shrieves, Sr. The vote was unanimous.

Approved with the following conditions:

1. The applicant shall comply with the site plan submitted to staff dated December 29, 2020, titled "Site, Grading and Drainage Plan for 3133 Lake Park Drive".
2. The variance shall only pertain to the maximum lot coverage increase from 10% to 18% for improvements shown on the site plan.

3. BZA-2107-0117

The Applicant, Richard Mahon, on behalf of Toyota South Atlanta, is requesting two variances: 1) To seek relief from the parking island requirement (Section 6.34); 2) To seek relief from the Sidewalk Standards (Section 86-154). The subject property is located at 6865 Jonesboro Road, which is further known as Parcel 12112D D009. The subject property is zoned GB (General Business) and is approximately 6.03 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2107-0117 was read by Keedra Jackson, Senior Planning Consultant.

Staff is recommending to **TABLE** this petition to October 2, 2021 to allow the BOC to finalize action on the request for a CUP. The subject variance has a current companion CUP (BOC-2106-0118) to allow expansion of the existing facility. This request will be heard by the Zoning Advisory Group on August 26, 2021 and the BOC on September 21, 2021.

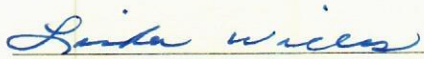
Chairman Frances Solomon called for the petitioner to present their case.

Chairman Frances Solomon called for any public concerns/comments. There were none.

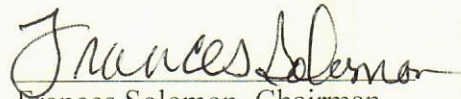
The motion to **table** case BZA-2107--0117 was made Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

There being no further business the motion to adjourn was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The meeting adjourned at 8:00p.m.



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



Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

JEFFREY E. TURNER
CHAIRMAN
SONNA SINGLETON-GREGORY
District 1
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Clayton County
Planning, Zoning & Sustainability
Office
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236



Madolyn Spann
ZONING ADMINISTRATOR

Board of Zoning Appeals
Meeting Minutes of September 16, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of September 16, 2021.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Van Shrieves, Sr., Board Member Attania Jean-Funny, and Board Member Kathy Robison. Present from the Planning & Zoning Sustainability Department was Keedra Jackson and Linda Willis.

Members absent: None.

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

The motion to **approve** the minutes of August 19, 2021 was made Vice Chair Larry W. Bussey and seconded by Board Member Van Shrieves, Sr. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business: **None.**

Chairman Frances Solomon called for New Business:

1. BZA-2107-0118

The Applicant, Joseph Buskey is requesting a variance to increase the maximum lot coverage from 10% to 18% for the construction of a new single-family home (Section 3.4). The subject property is located at 2869 Orchard Walk, which is further known as Parcel 06006D C004. The subject property is zoned ER (Estate Residential) and is approximately 1 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2107-0118 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends **APPROVAL**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Joseph Buskey, located at 104 Fieldstone Parkway, Jonesboro, GA.

Chairman Frances Solomon called for any public concerns/comments:

1. Michael Brown, located at 8952 Redskin Trail, Jonesboro, GA. Stated he approved the request and would like a copy of the variance for the future buyers of the two (2) vacant lots.
2. Madgeline Buskey, located at 104 Fieldstone Parkway, was there in support of her husband.

The motion to **approve** case BZA-2107-0118 was made by Board Member Gloria McCain and seconded by Board Member Van Shrieves, Sr. The vote was unanimous.

2. BZA-2108-0120

The Applicant, Karen Elder, is requesting to seek relief from the RM District regulations regarding Single-family home as a nonconforming use (Section 3.11). The variance seeks to allow a deck extension to an existing non-conforming dwelling. The subject property is located at 840 Pine Shoals Court, which is further known as Parcel 131087C E008. The subject property is zoned RM (Multi-family Residential) and is approximately 6.03 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2108-0120 was read by Keedra Jackson, Senior Planning Consultant.

Staff stated: As a result of past governmental action that allowed Single Family Dwelling in RM Multifamily District, Staff recommends **APPROVAL of the Deck expansion**.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Karen Elder, located at 840 Pine Sore Court, Atlanta, GA.

Chairman Frances Solomon called for any public concerns/comments. There were none.

The motion to **approve** case BZA-2108-0120 was made Board Member Attania Jean-Funny and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

There being no further business the motion to adjourn was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The meeting adjourned at 7:20p.m.

Linda Willis

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

Frances Solomon

Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

JEFFREY E. TURNER
CHAIRMAN
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*Clayton County
Planning, Zoning & Sustainability
Office
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236*



Madolyn Spann
ZONING ADMINISTRATOR

Board of Zoning Appeals
Meeting Minutes of October 21, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of October 21, 2021.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Van Shrieves, Sr., Board Member Attania Jean-Funny, and Board Member Kathy Robison. Present from the Planning & Zoning Sustainability Department was Keedra Jackson and Linda Willis.

Members absent: None.

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The motion to **approve** the minutes of August 19, 2021 was made Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business: **None.**

Chairman Frances Solomon called for New Business:

1. BZA-2108-0119

The Applicant, Jon Jordan with Hecht Walker, P.C., is requesting a variance: 1) To allow more than 50% of the required parking spaces in the front yard of a 265,200 square foot warehouse per the Highway 42 Overlay District (Section 4.34D.1). The subject property is located at 5490 Highway 42, which is further known as Parcel 12171A A002. The subject property is zoned GB (General Business) and is approximately 21.50 +/- acres of land.

Commissioner District 1- Vacant

The Agenda description for case BZA-2108-0119 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends accepts the Applicant request to **Table**.

Chairman Frances Solomon called for the petitioner to present their case.

The motion to **table** case BZA-2108-0119 until November 18, 2021 was made by Board Member Gloria McCain and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

2. BZA-2108-0121

The Applicant, Gom Printing and Signs is requesting two variances from Article 8 Sign Regulations (SS): 1) To seek relief from the monument style requirement to allow a pole sign (Section 8.8.B Permanent Sign Standards, Ground Signs); 2) To seek a 14ft. increase in sign height from the required 10ft. to 24 ft. (Section 8,12- Sign Permitted Within OI and GB Zoning Districts for Planned Centers). The subject property is located at 7879 Tara Boulevard, which is further known as Parcel 13210B D005. The subject property is zoned GB (General Business) and is approximately 7.80+/- acres of land.

Commissioner District 4 - DeMont Davis

The Agenda description for case BZA-2108-0121 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends **Denial**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Ted Thomas, located at 13300 Holcomb Bridge Road, Norcross, GA.

Chairman Frances Solomon called for any public concerns/comments: There were none.

The motion to **approve** case BZA-2108-0121 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was 4 to 2. Board Member Attania Jean-Funny and Board Member Van Shrieves, Sr. opposed.

3. BZA-2109-0122

The Applicant, Jason Cash, is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 Estate Residential District Standards (ER) to increase the maximum lot coverage from 10% to 20% (a 10% increase) for a swimming pool. The subject property is located at 3111 Pier II, which is further known as Parcel 12010C A022. The subject property is zoned ER (Estate Residential) and is approximately 1 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2109-0122 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends **APPROVAL**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Jason Cash, located at 3111 Pier 2, Jonesboro, GA.

Chairman Frances Solomon called for any public concerns/comments: There were none.

The motion to **approve** case BZA-2109-0122 was made by Board Member Van Shrieves, Sr. and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

4. BZA-2109-0123

The Applicant, Rosa Shaw/Apollo Sign & Light, is requesting a variance from Article 9 Nonconforming Structures, Lots and Uses, Section 9.6 Nonconforming Signs to construct a new sign maintaining the same measurements of the current nonconforming sign for a car dealership. The subject property is located at 6889 Jonesboro Road, which is further known as Parcel 12112D D010. The subject property is zoned GB (General Business) and is approximately 5.475 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2109-0123 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends **Denial**.

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Mike Hammond, located at 1238 Logan Circle, Atlanta, GA.

Chairman Frances Solomon called for any public concerns/comments: **NONE**.

The motion to **approve with condition** case BZA-2109-0123 was made by Board Member Attania Jean-Funny and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

Approved with condition:

- 1. Sign must have an opening for more visibility.**
-

5. BZA-2109-0124

The Applicant, Matt Miller, is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 Estate Residential District Standards (ER) to increase the maximum lot coverage from 10% to 36% (a 26% increase) for a swimming pool. The subject property located at 2775 Club Valley Ct., which is further known as Parcel 12011C A007. The subject property is zoned ER (Estate Residential) and is approximately 1.18 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2109-0124 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends **APPROVAL**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Matt Miller, located at 8532 North Shoal Drive, Jonesboro, GA.

Chairman Frances Solomon called for any public concerns/comments: **None.**

The motion to **approve** case BZA-2109-0124 was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

6. BZA-2109-0125

The Applicant, Steven Gilliam, is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 Estate Residential District Standards (ER) to increase the maximum lot coverage from 10% to 17.5% (a 7.5% increase) for the construction of a new single-family home. The subject property is located at 3240 South Bay Drive, which is further known as Parcel 06007D B002. The subject property is zoned ER (Estate Residential) and is approximately 1.18 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2109-0125 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends to **table** due to not meeting Legal requirements of certified mailings to surrounding property owners.

The motion to **table** case BZA-2109-0125 until November 18, 2021 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

7. BZA-2109-0126

The Applicant, Brian Robison of Summit Design and Build, is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 Estate Residential District Standards (ER) to increase the maximum lot coverage from 10% to 22.6% (a 12.6% increase) for a new swimming pool. The subject property is located at 8695 Shoreline Drive, which is further known as Parcel # 12012D A020. The subject property is zoned ER (Estate Residential) and is approximately 1.016 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2109-0126 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends **APPROVAL**

Chairman Frances Solomon called for the petitioner to present their case.

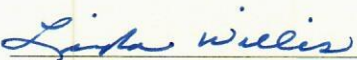
The Applicant was represented by Brian Robison, located at 2980 Bayview Drive, Jonesboro, GA.

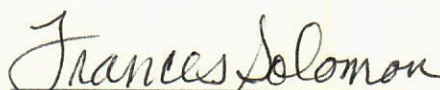
Chairman Frances Solomon called for any public concerns/comments: **None.**

The motion to **approve** case BZA-2109-016 was made by Board Member Gloria McCain and seconded by Board Member Van Shrieves, Sr. The vote was unanimous.

There being no further business the motion to adjourn was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

The meeting adjourned at 7:40p.m.


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


Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

JEFFREY E. TURNER
CHAIRMAN
SONNA SINGLETON-GREGORY
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Planning, Zoning & Sustainability
Office
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236



Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of November 18, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of November 18, 2021.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Van Shrieves, Sr., Board Member Attania Jean-Funny, and Board Member Kathy Robison. Present from the Planning & Zoning Sustainability Department was Keedra Jackson and Linda Willis.

Members absent: None.

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

The motion to **approve** the minutes of October 21, 2021 was made Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business:

1. BZA-2107-0117

The Applicant, Richard Mahon, on behalf of Toyota South Atlanta, is requesting a variance to seek relief from the parking island requirement for a display lot expansion (Section 6.34); and to seek relief from the Sidewalk Standard (Section 86-154). The subject property is located at 6865 Jonesboro Road, which is further known as Parcel 12112D D009. The subject property is zoned GB (General Business) and is approximately 6.03 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2107-0117 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends: **Approval for the landscape parking island request and Denial for the sidewalk request.**

Chairman Frances Solomon called for the petitioner to present their case.

The Applicant was represented by Rich Matton, located at 255 Pharr Road, NE, Atlanta, GA., and Timothy Vondell Jefferson, located at 2261 Talmadge Road, Lovejoy, GA.

The motion to **approve** case BZA-2107-0117 landscape parking island request was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

2. BZA-2108-0119

The Applicant, Jon Jordan with Hecht Walker, P.C., is requesting a variance: 1) To allow more than 50% of the required parking spaces in the front yard of a 265,200 square foot warehouse per the Highway 42 Overlay District (Section 4.34D.1). The subject property is located at 5490 Highway 42, which is further known as Parcel 12171A A002. The subject property is zoned GB (General Business) and is approximately 21.50 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2108-0119 was read by Keedra Jackson, Senior Planning Consultant.

Staff accepts the Applicant request to **Table until January 21, 2021.**

The motion to **table** case BZA-2108-0119 until January 20, 2022 was made by Board Member Gloria McCain and seconded by Board Member Van Shrieves, Sr. The vote was unanimous.

3. BZA-2109-0125

The Applicant, Steven Gilliam, is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 Estate Residential District Standards (ER) to increase the maximum lot coverage from 10% to 17.5% (a 7.5% increase) for the construction of a new single-family home. The subject property is located at 3240 South Bay Drive, which is further known as Parcel 06007D B002. The subject property is zoned ER (Estate Residential) and is approximately 1.18 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2109-0125 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends to **table** due to not meeting Legal requirements of certified mailings to surrounding property owners.

The motion to **table** case BZA-2109-0125 until December 16, 2021 was made by Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

Chairman Frances Solomon called for New Business:

4. BZA-2109-0127

The Applicant, Hiep Ha, is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 Estate Residential District Standards (ER) to increase the minimum lot coverage from 10% to 25.9% (a 15.9% increase) for a swimming pool. The subject property is located at 8546 Shoreview Court, which is further known as Parcel 12012A D002. The subject property is zoned ER (Estate Residential) and is located in the Highway 138 Overlay. The property is approximately 1 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2109-0127 was read by Keedra Jackson, Senior Planning Consultant.

Staff recommends **APPROVAL**

Chairman Frances Solomon called for the petitioner to present their case.

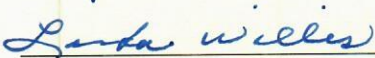
The Applicant was represented by Hiep Ha, located at 8548 Shoreview Court, Jonesboro, GA.

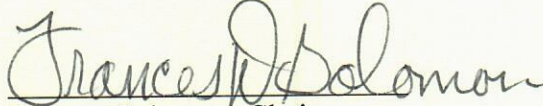
Chairman Frances Solomon called for any public concerns/comments: **None.**

The motion to **approve** case BZA-2109-0127 was made by Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

There being no further business the motion to adjourn was made by Board Member Kathy Robison and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

The meeting adjourned at 7:20p.m.


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


Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia

JEFFREY E. TURNER
CHAIRMAN
ALIEKA ANDERSON
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Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of December 16, 2021

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of December 16, 2021.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Van Shrieves, Sr., Board Member Attania Jean-Funny, and Board Member Kathy Robison. Present from the Planning & Zoning Sustainability Department was Tiras Petrea, Zoning Administrator, Tyler McSwain and Linda Willis.

Members absent: None.

The Pledge of Allegiance was said in unison.

The motion to **approve** the Agenda was made by Board Member Gloria McCain and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

The motion to **approve** the minutes of November 18, 2021 was made Vice Chair Larry W. Bussey and seconded by Board Member Kathy Robison. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals. **None.**

Report of Officers and Committees. **None.**

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business:

1. BZA-2109-0125

The Applicant, Steven Gilliam, is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 Estate Residential District Standards (ER) to increase the maximum lot coverage from 10% to 17.5% (a 7.5% increase) for the construction of a new single-family home. The subject property is located at 3240 South Bay Drive, which is further known as Parcel 06007D B002. The subject property is zoned ER (Estate Residential) and is approximately 1.18 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2109-0125 was read by Tyler McSwain, Senior Planning Consultant.

Staff recommends **approval**.


The Applicant was represented by Steven Gilliam, located at 820 Cedar Creek Drive, Suwanee, GA.


Chairman Frances Solomon called for any public concerns/comments: **None**.

The motion to **approve** case BZA-2109-0125 was made by Board Member Kathy Robison and seconded by Board Member Gloria McCain. The vote was 5 to 1. Board Member Van Shrieves, Sr. opposed.

There being no further business the motion to adjourn was made by Board Member Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

The meeting adjourned at 7:30p.m.


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


Frances Solomon, Chairman
Board of Zoning Appeals
Clayton County, Georgia