

**Board of Zoning Appeals**

**JANUARY 19, 2023**

**NO MEETING SCHEDULED**

JEFFREY E. TURNER  
CHAIRMAN  
ALIEKA ANDERSON  
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*

Patrick Ejike  
Director

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Board of Zoning Appeals  
Meeting Minutes of February 16, 2023

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of February 23, 2023.

Members present were: Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Attania Jean-Funny, and Board Member Quen Howard, and from the Planning & Zoning Sustainability Department was Ryan Sellers, Carletta Singleton, and Mokita Rials.

Members absent: Board Member Kathy Robison.

The Pledge of Allegiance was said in unison.

The motion was to **approve** the Agenda. The vote was unanimous.

The motion was to **approve** the minutes of December 15, 2022. The vote was unanimous.

Recognition of Persons having business with the Board of Zoning Appeals:

**A. Election of Officers**

- a. **Larry W. Bussey – Chairman**
- b. **Attania Jean-Funny – Vice Chair**
- c. **Quen Howard –Secretary**

**B. Approval of the 2023 Board of Zoning Appeals Calendar**

The motion to approve the 2023 Board of Zoning Appeals Calendar was made by Vice-Chair Larry W. Bussey and seconded by Attania Jean-Funny. The vote was unanimous.

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

The Public Hearing procedures were presented by Linda Willis.

**Chairman Frances Solomon** called for Old Business:

**1. BZA-2206-0143**

The applicant, Christopher White is requesting a variance from Article 6.-Development Standards, Section 6.13.C- Place of Worship, Theater, and Amphitheater Standards (POW), to eliminate the requirement for Place of Worship to be located on a minimum lot area of five (5) acres and have frontage of at least two-hundred 200 feet along a public street to increase the allowable impervious coverage and allow installation of the detention pond within the



buffer yard setback on the subject property located at 3296 Walt Stephens Road, Lake Spivey, GA 30236. The proposed development will provide relief to expand the existing facility and offer more services and assistance to the surrounding community. The subject property is within the Highway 138 Overlay and zoned ER- Estate Residential consisting of 2.20 acres and is further known as Parcel 12023D B001.

**Commissioner District 4 – DeMont Davis**

The Agenda description for case BZA-2206-0143 was read by Ryan Sellers, Planning Consultant.

Staff recommended **approval of the first variance and denial of the second request.**

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

The petitioner was represented by Christopher White, located at 6 Covered Bridge Road, Bremen, GA.

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

The motion to **approve** case BZA-2206-0143 first variance and **table** until March 16, 2023 of the second variance was made by Board Member Gloria McCain and second by Board Member Quen Howard. The vote unanimous.

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**Chairman Frances Solomon** called for New Business:

**1. BZA-2211-0164**

A request by Benjamin Middlebrooks for a variance from Sec. 3.8 – RS-110 Residential District Standards to decrease the minimum living area of 2000 sq. ft. to 1605 sq. ft. at 6142 Bigelow Dr, Riverdale GA 30296. Said property, consisting of ±0.52 acres, is in the RS-110 Residential Zoning District, and is further known as Parcel 13121D F001.

**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2211-0164 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval** of the request.

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

The petitioner was represented by Benjamin Middlebrook, located at 6142 Bigelow Drive, Riverdale, GA.

**Chairman Frances Solomon** called for any public concerns/comments:

1. Calvin – HOA President, stated this property has been up for sale for a while and the community keep it up. The reason the property has not sold is because there are sink holes and maintain water on the property. All the other homeowners are on septic and the subject property will not be buildable.
2. Shelia Malone, located at 6155 Bigelow Drive, Riverdale, GA. Stated her concerns are the problem with the sink holes.
3. Gail Bowlers, located at 6197 Harkness Court, GA. Stated she was concerned there was no communication with the community.
4. Patricia Reynolds, located at 1329 Elsmere Lane, Riverdale, GA. Stated the builder knows the property is unbillable.



The motion to **deny** case BZA-2211-0164 due to being injurious to the moral and general welfare of the community was made by Board Member Attania Jean-Funny and seconded by Board Member Quen Howard. The vote was 3 to 2. Chairman Frances Solomon abstained, and Board Member Gloria McCain opposed.

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**2. BZA-2211-0165**

A request by Benjamin Middlebrooks for a variance from Sec. 3.8 – RS-110 Residential District Standards to decrease the minimum living area of 2000 sq. ft. to 1605 sq. ft. at 6154 Bigelow Dr, Riverdale GA 30296. Said property, consisting of ±0.44 acres, is in the RS-110 Residential Zoning District, and is further known as Parcel 13121D F002.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2211-0165 was read by Ryan Sellers, Planning Consultant.  
Staff recommends **approval** of the request.

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

The petitioner was represented by Benjamin Middlebrook, located at 6142 Bigelow Drive, Riverdale, GA.

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

The motion to **deny** case BZA-2211-0164 due to being injurious to the moral and general welfare of the community was made by Board Member Attania Jean-Funny and seconded by Board Member Quen Howard. The vote was 3 to 2. Chairman Frances Solomon abstained, and Board Member Gloria McCain opposed.

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**3. BZA-2212-0168**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4871 Highway 85. Atlanta GA 30349. The subject property, consisting of ±0.93 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A010.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2212-0168 was read by Ryan Sellers, Planning Consultant.  
Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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



The motion to **table** case BZA-2212-0168 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

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**4. BZA-2301-0170**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4813 Highway 85, Atlanta GA 30349. The subject property, consisting of ±2.10 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A001.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0170 was read by Ryan Sellers, Planning Consultant.

Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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

The motion to **table** case BZA-2301-0170 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

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**5. BZA-2301-0171**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±1.41 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A002.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0171 was read by Ryan Sellers, Planning Consultant.

Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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



The motion to **table** case BZA-2301-0171 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

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**6. BZA-2301-0172**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±0.41 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A008.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0172 was read by Ryan Sellers, Planning Consultant.

Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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

The motion to **table** case BZA-2301-0172 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

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**7. BZA-2301-0173**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±1.91 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A009  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0173 was read by Ryan Sellers, Planning Consultant.

Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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



The motion to **table** case BZA-2301-0173 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

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**8. BZA-2301-0174**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4855 Highway 85, Atlanta GA 30349. The subject property, consisting of ±1.91 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A007.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0174 was read by Ryan Sellers, Planning Consultant.

Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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

The motion to **table** case BZA-2301-0174 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

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**9. BZA-2301-0175**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±1.86 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054A D009.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0175 was read by Ryan Sellers, Planning Consultant.

Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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



The motion to **table** case BZA-2301-0175 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

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**10. BZA-2301-0176**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 0 Highway 85, Atlanta GA 30349. The subject property, consisting of ±0.04 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A003.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0176 was read by Ryan Sellers, Planning Consultant.

Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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

The motion to **table** case BZA-2301-0176 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

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**11. BZA-2301-0177**

A request by Ellen Jugar for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±2.24 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054A D008.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0177 was read by Ryan Sellers, Planning Consultant.

Staff recommends **table** of the request.

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

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

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

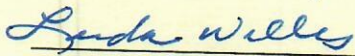


The motion to **table** case BZA-2301-0177 until March 16, 2023 was made by Board Member Attania Jean-Funny and seconded by Vice-Chair Larry W. Bussey. The vote was 4 to 1. Board Member Quen Howard abstained.

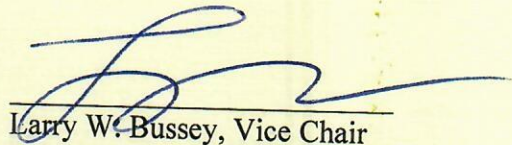
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There being no further business the motion to adjourn was made. The vote was unanimous.

The meeting adjourned at 8:00p.m.



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



Larry W. Bussey, Vice Chair  
Board of Zoning Appeals  
Clayton County, Georgia



JEFFREY E. TURNER  
CHAIRMAN  
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Patrick Ejike  
Director

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Board of Zoning Appeals  
Meeting Minutes of March 16, 2023

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of March 16, 2023.

Members present were: Chairman Larry W. Bussey, Vice Chair Attania Jean-Funny, Board Member Frances Solomon, Board Member Gloria McCain, and Board Member Quen Howard. John O'Neal from the Legal Department, and from the Planning & Zoning Sustainability Department was Ryan Sellers, Angela Rambeau, and Linda Willis.

Members absent: Board Member Kathy Robison.

The Pledge of Allegiance was said in unison.

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

The motion was to **approve** the minutes of February 16, 2023 was made by Attania Jean-Funny and seconded by Gloria McCain. 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 Larry W. Bussey** called for Old Business:

**1. BZA-2206-0143**

The applicant, Christopher White is requesting a variance from Article 6.-Development Standards, Section 6.13.C- Place of Worship, Theater, and Amphitheater Standards (POW), to eliminate the requirement for Place of Worship to be located on a minimum lot area of five (5) acres and have frontage of at least two-hundred 200 feet along a public street to increase the allowable impervious coverage and allow installation of the detention pond within the buffer yard setback on the subject property located at 3296 Walt Stephens Road, Lake Spivey, GA 30236. The proposed development will provide relief to expand the existing facility and offer more services and assistance to the surrounding community. The subject property is within the Highway 138 Overlay and zoned ER- Estate Residential consisting of 2.20 acres and is further known as Parcel 12023D B001.



## Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2206-0143 was read by Ryan Sellers, Planning Consultant.

Staff recommended **denial of the second variance** to increase the allowable impervious coverage and allow installation of the detention pond within the buffer yard setback.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Christopher White, located at 6 Covered Bridge Road, Bremen, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None**.

The motion to **deny** case BZA-2206-0143 of the second variance to increase the allowable impervious coverage and allow installation of the detention pond within the buffer yard setback was made by Board Member Attania Jean-Funny and second by Board Member Quen Howard. The vote unanimous.

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### 2. BZA-2212-0168

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4871 Highway 85, Atlanta GA 30349. The subject property, consisting of ±0.93 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A010.

#### **Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2212-0168 was read by Ryan Sellers, Planning Consultant.

Staff recommends tabling the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None**.

The motion to **table** case BZA-2212-0168 until April 20, 2023 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.

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### 3. BZA-2301-0170

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4813



Highway 85, Atlanta GA 30349. The subject property, consisting of ±2.10 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A001.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0170 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW.**

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None.**

The motion to **accept the Applicant's request to WITHDRAW** case BZA-2301-0170 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.

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#### **4. BZA-2301-0171**

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±1.41 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A002.

**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0171 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW.**

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None.**

The motion to **accept the Applicant's request to WITHDRAW** case BZA-2301-0171 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.

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#### **5. BZA-2301-0172**

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking



lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±0.41 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A008.  
**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0172 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW**.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None**.

The motion to **accept the Applicant's request to WITHDRAW** case BZA-2301-0172 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.

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#### **6. BZA-2301-0173**

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±1.91 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A009.

**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0173 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW**.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None**.

The motion to **accept the Applicant's request to WITHDRAW** case BZA-2301-0173 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.

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## 7. BZA-2301-0174

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4855 Highway 85, Atlanta GA 30349. The subject property, consisting of ±0.33 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A007.

**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0174 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW.**

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None.**

The motion to **accept the Applicant’s request to WITHDRAW** case BZA-2301-0174 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.

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## 8. BZA-2301-0175

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±1.86 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054A D009.

**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0175 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW.**

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None.**

The motion to **accept the Applicant’s request to WITHDRAW** case BZA-2301-0175 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.



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**9. BZA-2301-0176**

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 0 Highway 85, Atlanta GA 30349. The subject property, consisting of ±0.04 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B A003.

**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0176 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW.**

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None.**

The motion to **accept the Applicant's request to WITHDRAW** case BZA-2301-0176 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.

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**10. BZA-2301-0177**

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4851 Highway 85, Atlanta GA 30349. The subject property, consisting of ±2.24 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054A D008.

**Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2301-0177 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW.**

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None.**



The motion to **accept the Applicant's request to WITHDRAW** case BZA-2301-0177 was made by Board Member Attania Jean-Funny and seconded by Board Member Frances Solomon. The vote was unanimous.

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**Chairman Larry W. Bussey** called for New Business:

**1. BZA-2301-0181**

The applicant, Rosie Felix, is requesting a variance from Article 6, Sec. 6.32 – Parking Standards (PK) for a reduction in the required parking spaces for property located at 7935 Tara Blvd, Jonesboro GA 30236. The subject property consisting of ±1.37 acres is located within the Tara Blvd Overlay and zoned GB – General Business and is further known as Parcel 13210B D004.

**Commission District 4 – DeMont Davis**

The Agenda description for case BZA-2301-0181 was read by Ryan Sellers, Planning Consultant.

Staff recommends **acceptance of the Applicant request to WITHDRAW**.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None**.

The motion to **accept the Applicant's request to WITHDRAW** case BZA-2301-0181 was made by Board Member Gloria McCain and seconded by Board Member Frances Solomon. The vote was unanimous.

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**2. BZA-2301-0179**

The applicant, Chas Gobisch, on behalf of Clayton County Water Authority, is requesting a variance from Sec. 3.32 – HI Heavy Industrial District Standards for a reduction in the setback requirements at 7700 Old Morrow Rd, Jonesboro GA 30236. Said property, consisting of ±1.50 acres, is in the HI – Heavy Industrial District, and is further known as Parcel 12049D B001..

**Commission District 4 – DeMont Davis**

The Agenda description for case BZA-2301-0179 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval with conditions** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was not present.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None**.

The motion to **approved with conditions** case BZA-2301-0179 was made by Board Member Gloria McCain and seconded by Board Member Frances Solomon. The vote was 4 to 1. Board Member Attania Jean-Funny was a (Abstained) No vote.

**Approved with the following conditions:**

- 1. The subject property should only have one (1) curb cut.**
- 2. Must be developed per site plan (attached) dated December 2022.**



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**3. BZA-2301-0178**

The applicant, Alex Carr, is requesting a variance from Sec. 6.30 – Fence and Wall Standards (FW) to build a concrete sound wall up to 16’ above grade or +/-20’ above the truck court at 2464 Mt. Zion Rd, Jonesboro GA 30260. Said property, consisting of ±85.14 acres, is in the MXI – Mixed Use Commercial-Industrial District, and is further known as Parcel 12085C A001.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2301-0178 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval with conditions** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Greg Hecht, located at 205 Corporate Center Drive, Stockbridge, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments:

1. Sherryl Roman, located at 7052 Lodgepole Drive, Morrow, Ga. Stated she had no problem with the request, but would like some type vegetations/decorative element in front of the wall.

The motion to **approved with conditions** case BZA-2301-0178 was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

**Approved with the following conditions:**

- 1. Wall must incorporate decorative elements.**
- 2. Plant trees every 10ft on the residential side of the property.**

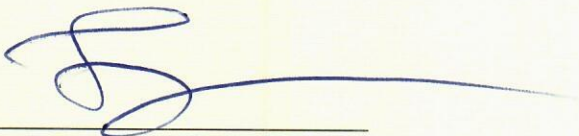
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There being no further business the motion to adjourn was made by Gloria McCain and second by Board Member Attania Jean-Funny. The vote was unanimous.

The meeting adjourned at 7:00p.m.

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



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Larry W. Bussey, Chairman  
Board of Zoning Appeals  
Clayton County, Georgia



JEFFREY E. TURNER  
CHAIRMAN  
ALIEKA ANDERSON  
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*

Patrick Ejike  
Director

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Board of Zoning Appeals  
Meeting Minutes of April 20, 2023

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of April 20, 2023.

Members present were: Chairman Larry W. Bussey, Vice Chair Attania Jean-Funny, Board Member Frances Solomon, Board Member Gloria McCain, Board Member Kathy Robison, and Board Member Quen Howard. John O'Neal from the Legal Department, and from the Planning & Zoning Sustainability Department was Tiras Petrea, Ryan Sellers, and Linda Willis.

Members absent: None.

The Pledge of Allegiance was said in unison.

The motion to **approve** the removal the following cases from the Agenda due to noncompliance of Section 13.7 of the Zoning Ordinance was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

1. **BZA-2212-0168 - 4871 Highway 85, Atlanta, GA 30349**
2. **BZA-2301-0169 - 2507 Rex Road, Ellenwood, GA 30294**
3. **BZA-2303-0184 - 4457 Northwind Dr., Ellenwood, GA 30294**
4. **BZA-2303-0185 - 4475 Northwind Dr., Ellenwood, GA 30294**
5. **BZA-2303-0186 - 4137, Northwind Dr., Ellenwood, GA 30294**
6. **BZA-2303-0187 - 4115 Northwind Dr., Ellenwood, GA 30294**
7. **BZA-2303-0188 - 4126 Northwind Dr., Ellenwood, GA 30294**
8. **BZA-2303-0189 - 4150 Northwind Dr., Ellenwood, GA 30294**
9. **BZA-2303-0190 - 4121 Northwind Dr., Ellenwood, GA 30294**
10. **BZA-2302-0182 - 3861 Grant Road, Jonesboro, GA 30236**

The motion was to **approve with corrections** the minutes of March 16, 2023 was made by Board Member Gloria McCain and seconded by Vice-Chair 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 Linda Willis.



**New Business:**

**1. BZA-2303-0191**

The applicant, James Williams, is requesting a variance from Sec. 7.6 - Area and Bulk Regulations as shown on the Spivey Village Final Plat recorded under Plat Book 33 Page 80 to allow for an encroachment of 12' into the 30' rear buffer at 2049 Spivey Village Terrace, Jonesboro GA 30236. Said property, consisting of ±0.14 acres, is located within the East-West Corridor Overlay and zoned Spivey Village PUD, and is further known as Parcel 12014B B042.

**Commission District 4 – DeMont Davis**

The Agenda description for case BZA-2303-0191 was read by Ryan Sellers, Planning Consultant.

Staff recommends **denial** of the request due to this lot is legal, nonconforming as the primary structure already encroaches 5' into the rear setback.

**Chairman Larry W. Bussey** called for the petitioner to present their case.


The petitioner was not present, due to a family emergency.

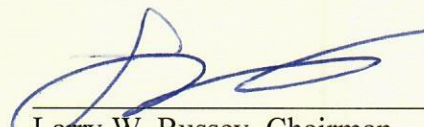
The motion to **table** case BZA-2303-0191 until May 18, 2023 was made by Board Member Gloria McCain and seconded by Board Member Quen Howard. The vote was unanimous.

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

The meeting adjourned at 6:07p.m.

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

  
\_\_\_\_\_  
Larry W. Bussey, Chairman  
Board of Zoning Appeals  
Clayton County, Georgia



JEFFREY E. TURNER  
CHAIRMAN  
ALIEKA ANDERSON  
District 1  
GAIL B. HAMBRICK  
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*Planning, Zoning & Sustainability*  
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*Jonesboro, Ga. 30236*

Patrick Ejike  
Director

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Board of Zoning Appeals  
Meeting Minutes of May 18, 2023

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of May 18, 2023.

Members present were: Chairman Larry W. Bussey, Vice Chair Attania Jean-Funny, Board Member Frances Solomon, Board Member Gloria McCain, Board Member Kathy Robison, and Board Member Quen Howard. John O'Neal from the Legal Department, and from the Planning & Zoning Sustainability Department was Tiras Petrea, Ryan Sellers, 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 Quen Howard. The vote was unanimous.

The motion was to **approve** the minutes of April 20, 2023 was made by Board Member Kathy Robison and seconded by Frances Solomon. 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.

**Old Business: Tabled Items from April 20, 2023:**

**1. BZA-2212-0168**

A request by Battle Law, P.C. for variances from Sec 6.32 – Parking Standards (PK) to allow all parking surfaces and interior driveways to be unstriped gravel and Sec. 6.34 – Landscaping Standards (LA) to waive the requirements for parking lot landscape islands and internal parking lot tree plantings, waive the interior parking lot landscaping standards, and waive the requirement for interior parking lot landscape island irrigation for property located at 4871 Highway 85. Atlanta GA 30349. The subject property, consisting of ±0.93 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13054B  
**A010.Commission District 2 – Gail Hambrick**

The Agenda description for case BZA-2212-0168 was read by Ryan Sellers, Planning Consultant.



**Ryan Sellers:** Staff recommends **acceptance of the Applicant request to WITHDRAW.**

The motion to **withdraw** case BZA-2212-0168 was made by Vice Chair Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

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**New Business:**

**1. BZA-2301-0169**

A request by Battle Law P.C. from Sec. 3.12 - RM Multiple Family Residential District Standards for a reduction in the required minimum lot area of 10 acres to 9.10 acres, which is a 0.90-acre variance at 2507 and 0 Rex Rd, Ellenwood GA 30294. Said property, consisting of ±9.10 acres, is in the RM (Multi-Family Residential) Zoning District, contains an existing apartment complex known as Spivey Crossing Apartments, and is further known as Parcels 12149C A003 & 12149C A002A.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2301-0169 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request due to this is a legal nonconforming lot and any additions would increase the level of nonconformity and would be injurious to the public health, moral, and general welfare of the community.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Michelle Battle, located at 3562 Habersham at North Lake, Unit 100, Atlanta, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None.**

The motion to **deny** case BZA-2301-0169 was made by Vice Chair Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

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**2. BZA-2302-0182**

The applicant, William J. Diehl is appealing the administrative decision of an administrative officer regarding the requirement of the Clayton County Zoning Ordinance. The subject property is located at 3861 Grant Road, Jonesboro GA 30236, consisting of ±6.60 acres is zoned MXI – Mixed Use Commercial-Industrial, and is further known as Parcel 12245B C001.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2302-0182 was read by Tiras Petrea, Zoning Administrator.

**Tiras Petrea:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by William Diehl, located at 2 Sun Court Street, Peachtree Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments:



1. Dwayne Jones, located at 3779 Grant Road, Ellenwood, GA. Stated the road is not built for 18-wheelers.
2. Beverly Miller, located at 4377 Grant Forest Circle, Ellenwood, GA. Stated the area is surrounded by residential and the road is too small.
3. Joseph Bridges, located at 2709 Bench Circle, Ellenwood, GA. Stated safety is a major concern with the trucks, and don't understand why its on Grant Road when their entrance is on Williamson Road.
4. Donna Mullins, located on 4145 Williamson Road, Ellenwood, GA. Stated the road is too narrow for 18-wheelers or any trucks, and was not sure what they are putting there.
5. Quanda Singleton, located at 3819 Village Crossing Lane, Ellenwood, GA. Stated concerns with the safety of the children, and that the road was too narrow.
6. Kelley Taylor, located at 3859 Village Crossing Lane, Ellenwood, GA. Stated concerns with traffic and the speeding trucks.
7. Caroline Njoroge, located at 3931 Brookgate Court, Ellenwood, GA. Stated the property is not located on Grant Road and is surrounded by residential residents.
8. Margaret Ann Webb, located at 2565 Brookgate Crossing, Ellenwood, GA. Stated that her backyard faces the subject property and sees all the traffic.

The motion to **deny** case BZA-2302-0182 because it would be injurious to the public health, moral, and general welfare of the community was made by Board Member Gloria McCain and seconded by Vice Chair Attania Jean-Funny. The vote was unanimous.

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### **3. BZA-2303-0184**

The applicant, Charlotte Booker, is requesting a variance from Sec. 3.6 – RS-180 Residential District Standards for a reduction in the minimum heated living area from 2,000 sq. ft to 1,773 sq. ft at 4457 Northwind Dr, Ellenwood GA 30294. Said property, consisting of ±1.56 acres, is in the RS-180 Residential District, and is further known as Parcel 12233D A021.

#### **Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2303-0184 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Adam McGaffigan, located at 3091 Governors Lake Drive, Peachtree Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments:

1. Edwin Price, located at 3550 Northgate Cove, Ellenwood, GA. Stated their community has large lots, what is being planned are smaller lots that will take away from what is there. This will create more congestion if they do not have a plan. The property value will decrease, also, should put no parking signs within the subdivision.
2. Tony McDonald, located at 4398 Northwind Drive, Ellenwood, GA. Stated the proposed plan is not compatible with the existing houses, they are smaller.
3. Jeffrey McCaulley, located at 4490 Northwind Drive, Ellenwood, GA. Stated concerns with the property value decreasing. The property will be unbuildable because they cannot put in septic.



The motion to **deny** case BZA-2303-0184 because it would be injurious to the public health, moral, and general welfare of the community was made by Board Member Gloria McCain and seconded by Vice Chair Attania Jean-Funny. The vote was unanimous.

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**4. BZA-2303-0185**

The applicant, Charlotte Booker, is requesting a variance from Sec. 3.6 – RS-180 Residential District Standards for a reduction in the minimum heated living area from 2,000 sq. ft to 1,773 sq. ft at 4475 Northwind Dr, Ellenwood GA 30294. Said property, consisting of ±1.08 acres, is in the RS-180 Residential District, and is further known as Parcel 12233D A022.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2303-0185 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Adam McGaffigan, located at 3091 Governors Lake Drive, Peachtree Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **Same as previous case.**

The motion to **deny** case BZA-2303-0185 because it would be injurious to the public health, moral, and general welfare of the community was made by Vice Chair Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

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**5. BZA-2303-0186**

The applicant, Charlotte Booker, is requesting a variance from Sec. 3.6 – RS-180 Residential District Standards for a reduction in the minimum heated living area from 2,000 sq. ft to 1,773 sq. ft at 4137 Northwind Dr, Ellenwood GA 30294. Said property, consisting of ±0.52 acres, is in the RS-180 Residential District, and is further known as Parcel 12233B B017.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2303-0186 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Adam McGaffigan, located at 3091 Governors Lake Drive, Peachtree Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **Same as previous case.**

The motion to **deny** case BZA-2303-0186 because it would be injurious to the public health, moral, and general welfare of the community was made by Board Member Gloria McCain and seconded by Vice Chair Attania Jean-Funny. The vote was unanimous.

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#### 6. BZA-2303-0187

The applicant, Charlotte Booker, is requesting a variance from Sec. 3.6 – RS-180 Residential District Standards for a reduction in the minimum heated living area from 2,000 sq. ft to 1,773 sq ft at 4115 Northwind Dr, Ellenwood GA 30294. Said property, consisting of ±0.52 acres, is in the RS-180 Residential District, and is further known as Parcel 12233B B014.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2303-0187 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Adam McGaffigan, located at 3091 Governors Lake Drive, Peachtree Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **Same as previous case.**

The motion to **deny** case BZA-2303-0187 because it would be injurious to the public health, moral, and general welfare of the community was made by Board Member Gloria McCain and seconded by Vice Chair Attania Jean-Funny. The vote was unanimous.

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#### 7. BZA-2303-0188

The applicant, Charlotte Booker, is requesting a variance from Sec. 3.6 – RS-180 Residential District Standards for a reduction in the minimum heated living area from 2,000 sq. ft to 1,773 sq. ft at 4126 Northwind Dr, Ellenwood GA 30294. Said property, consisting of ±0.51 acres, is in the RS-180 Residential District, and is further known as Parcel 12233B C006.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2303-0188 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Adam McGaffigan, located at 3091 Governors Lake Drive, Peachtree Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **Same as previous case.**

The motion to **deny** case BZA-2303-0188 because it would be injurious to the public health, moral, and general welfare of the community was made by Board Member Gloria McCain and seconded by Vice Chair Attania Jean-Funny. The vote was unanimous.

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#### 8. BZA-2303-0189

The applicant, Charlotte Booker, is requesting a variance from Sec. 3.6 – RS-180 Residential District Standards for a reduction in the minimum heated living area from 2,000 sq. ft to 1,773 sq.



ft at 4150 Northwind Dr, Ellenwood GA 30294. Said property, consisting of ±0.54 acres, is in the RS-180 Residential District, and is further known as Parcel 12233B C009.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2303-0189 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Adam McGaffigan, located at 3091 Governors Lake Drive, Peachtree Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **Same as previous case.**

The motion to **deny** case BZA-2303-0189 because it would be injurious to the public health, moral, and general welfare of the community was made by Board Member Gloria McCain and seconded by Vice Chair Attania Jean-Funny. The vote was unanimous.

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#### **9. BZA-2303-0190**

The applicant, Charlotte Booker, is requesting a variance from Sec. 3.6 – RS-180 Residential District Standards for a reduction in the minimum heated living area from 2,000 sq. ft to 1,773 sq. ft at 4121 Northwind Dr, Ellenwood GA 30294. Said property, consisting of ±0.54 acres, is in the RS-180 Residential District, and is further known as Parcel 12233B B015.

**Commission District 1 – Dr. Alieka Anderson**

The Agenda description for case BZA-2303-0190 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Adam McGaffigan, located at 3091 Governors Lake Drive, Peachtree Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **Same as previous case.**

The motion to **deny** case BZA-2303-0190 because it would be injurious to the public health, moral, and general welfare of the community was made by Board Member Gloria McCain and seconded by Vice Chair Attania Jean-Funny. The vote was unanimous.

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#### **10. BZA-2303-0191**

The applicant, James Williams, is requesting a variance from Sec. 7.6 - Area and Bulk Regulations as shown on the Spivey Village Final Plat recorded under Plat Book 33 Page 80 to allow for an encroachment of 12' into the 30' rear buffer at 2049 Spivey Village Terrace, Jonesboro GA 30236. Said property, consisting of ±0.14 acres, is located within the East-West Corridor Overlay and zoned Spivey Village PUD, and is further known as Parcel 12014B B042.

**Commission District 4 – DeMont Davis**



The Agenda description for case BZA-2303-0191 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **denial** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by James Williams, located at 2049 Spivey Village Terrace, Jonesboro Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None**.

The motion to **deny** case BZA-2303-0191 because this is a legal nonconforming lot, and any additions would increase the level of nonconformity was made by Board Member Kathy Robison and seconded by Board Member Gloria McCain. The vote was unanimous.

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#### **11. BZA-2303-0196**

The applicant, Gary Gigliotti, is requesting a variance from Article 6. Development Standards, Sec. 6.9 (AS-02) E-3- requiring minimum separation of ten (10) feet between all detached accessory structure and primary structure and (AC-05) C-3 requiring structures to locate in the rear yard, for a freestanding accessory dwelling at 2520 Emerald Dr, Lake Spivey GA 30236, in the ER (Estate Residential) Zoning District. Said property, consisting of ±1.91 acres, is further known as Parcel 06005A A010.

#### **Commission District 4 – DeMont Davis**

The Agenda description for case BZA-2303-0192 was read by Ryan Sellers, Planning Consultant.

**Ryan Sellers:** Staff recommends **approval** of the request.

**Chairman Larry W. Bussey** called for the petitioner to present their case.

The petitioner was represented by Gary Gigliotti, located at 2520 Emerald Drive, Jonesboro Corners, GA.

**Chairman Larry W. Bussey** called for any public concerns/comments: **None**.

The motion to **approve** case BZA-2303-0196 was made by Vice Chair Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

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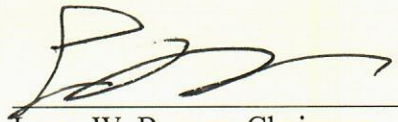
There being no further business the motion to adjourn was made by Board Member Kathy Robison and second by Board Member Frances Solomon. The vote was unanimous.

The meeting adjourned at 8:00p.m.



*Linda Willis*

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



Larry W. Bussey, Chairman  
Board of Zoning Appeals  
Clayton County, Georgia