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

Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of January 20, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of January 20, 2022.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Attania Jean-Funny, Board Member Kathy Robison and Quen Howard. John O'Neal was present from the Legal Department. 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 Board Member Attania Jean-Funny. The vote was unanimous.

The motion to **approve** the minutes of December 16, 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.

1. Election of Officers:

Chairperson: Frances Solomon **Vice Chair: Larry W. Bussey**
Secretary: Attania Jean-Funny **Assistant Secretary: Linda Willis**

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old 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- Alieka Anderson

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

Staff recommends to **table due to related upcoming zoning cases.**

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

The motion to **table** case BZA-2108-0119 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

Chairman Frances Solomon called for New Business:

1. BZA-2111-0128

The applicant Edward Tallman of Tallman Pools, is requesting a variance from Section 3.4 – Estate Residential District Standards to increase the lot coverage from 10% to 27% for the installation of a pool and patio area, located at 3102 Pier 1 Place in Lake Spivey, GA and further known as parcel number 12010C A007. The subject property is zoned ER (Estate Residential) and is approximately 1.1+/- acres of land.

Commissioner District 4 – DeMont Davis.

The Agenda description for case BZA-2111-0128 was read by Tyler McSwain, Senior Planning Consultant.

Staff recommends **approval.**

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

The applicant was represented by Huy Tran, located at 3102 Pier I, Jonesboro, GA.

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

The motion to **approve** case BZA-2111-0128 was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

2. BZA-2111-0130

The applicant Collin Denhard with Southbound Development Group, is requesting the following variances from The East-West Corridor Overlay District: Highway 138 Overlay district standards and design regulations of Article 4, Section's 4.68, 4.71, and 4.76 – Lot Standards and building fenestration requirements, Parking Standards for Drive Through businesses, and site layout design standards for corner lots for entrances and exits. The site is to be used as a restaurant with drive drive-through. The property is located at 3603 Highway 138 in Stockbridge, GA, and is further known as parcel number 12073D B003. The subject property is zoned GB (General Business) and is approximately 0.88 +/- acres of land.

Commission District 1 – Alieka Anderson.

The Agenda description for case BZA-2111-0130 was read by Tyler McSwain, Senior Planning Consultant.

Staff recommends to **approval with two (2) conditions**.

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

The applicant was represented by Mike Birnbret, located at 3666 Fortingale Road, Chamblee, GA.

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

The motion to **approve with conditions** case BZA-2111-0130 was made by Board Member Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

Approved with the following conditions:

1. **The applicant shall comply with the site plan dated on May 6, 2021, titled “Southbound Development Group”.**
 2. **The variance request grants relief to Article 3.22, Section 2.0E.2. to allow parking in the front yard to remain and allow the Drive-Thru window to face a road (Cameron Parkway) and not on the rear of the building.**
-

3. BZA-2111-0131

The applicant Shelitha Robertson of The Renee Group, Inc., is requesting a variance from Section 3.4 – Estate Residential District Standards to increase the lot coverage from 10% to 20% for the construction of a new home with a pool and patio area, located at 2420 Emerald Drive in Lake Spivey, GA and further known as parcel number 06005A A001. The subject property is zoned ER (Estate Residential) and is approximately 2.6 +/- acres of land.

Commissioner District 4 – DeMont Davis.

The Agenda description for case BZA-2111-0131 was read by Tyler McSwain, Senior Planning Consultant.

Staff recommends to **approval with one (1) condition**

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

The applicant was represented by Shelitha Robertson, located at 2420 Emerald Drive, Jonesboro, GA.

Chairman Frances Solomon called for any public concerns/comments:

1. Robert Paye, located 2296 Forest Drive, Jonesboro, GA
2. Mark Pak, located at 2418 Emerald Drive, Jonesboro, GA

The motion to **approve with condition** case BZA-2111-0131 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

Approved with the following condition:

1. **The impervious percentage for the subject property shall be a maximum of 17%.**
-

4. BZA-2112-0132

The applicant Lenin Portes of Soapstone Construction Group, LLC, is requesting a variance from Section 3.12 – Multiple Family Residential District Standards to reduce the minimum lot area requirement of 10 acres to 7.83 acres for the construction of a 144-unit apartment complex. The property is located at 482 Sylvania Drive in Forest Park, GA and is further known as parcel number 13110B A007. The subject property is zoned RM (Multiple-Family Residential) and is approximately 7.83 +/- acres of land.

Commissioner District 2 – Gail Hambrick.

The Agenda description for case BZA-2112-0132 was read by Tyler McSwain, Senior Planning Consultant.

Staff recommends approval with one (1) condition.

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

The applicant was represented by Lenn Portes, located at 63 Soapstore Lane, Acworth, GA

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

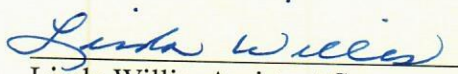
The motion to **approve with condition** case BZA-2112-0132 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was 5 to 1. Board Member Attania Jean-Funny opposed.

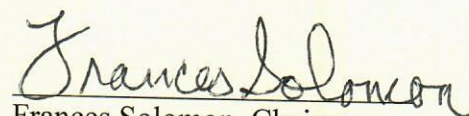
Approved with the following condition:

- 2. The site shall be within general conformity with the site plan submitted by the applicant dated November 29, 2021.**

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 7:35p.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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Board of Zoning Appeals
Meeting Minutes of February 17, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of February 17, 2022.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Attania Jean-Funny, and Board Member Kathy Robison. John O'Neal was present from the Legal Department. Present from the Planning & Zoning Sustainability Department was Tyler McSwain, Tre'Jon Singletary and Linda Willis.

Members absent: Quen Howard.

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 January 20, 2022 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.

1. 2022 BZA Calendar

The motion to **approve** the 2022 BZA Calendar was made Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old 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- Alieka Anderson

The Agenda description for case BZA-2108-0119 was read by Tre'Jon Singletary, Planning Consultant.

Staff recommends to **table due to related upcoming zoning cases.**

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

The motion to **table** case BZA-2108-0119 until March 17, 2022 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-2111-0129

The applicant William Diehl on behalf of JPG Trans Company, LLC, is requesting a variance from Article 6, Section 6.32- Parking Standards for removal of the required parking islands for a proposed truck parking business. The subject property is located at 3861 Grant Road, Ellenwood, Georgia 30294, which is further known as parcel number 12245B C001. The subject property is zoned MXI - Mixed Use Commercial and Industrial District and is approximately 6.60 +/- acres of land and is located within the Highway 42 Overlay.

(Note: The applicant is also requesting a Conditional Use Permit (BOC-2111-0167) for a vehicle repair and service facility and is scheduled to be heard by the Board of Commissioners on February 15, 2022. The variance request is independent of the CUP).

Commissioner District 1- Dr. Alieka Anderson

The Agenda description for case BZA-2111-0129 was read by Tre'Jon Singletary, Planning Consultant.

Staff recommends to **DENY** the applicants request based upon the current design and layout as proposed with no additional planting or landscaping. However, Staff is aware of some concerns from the public regarding the use and would consider a recommendation of **APPROVAL** if a landscaping plan is shown indicating additional planting to accommodate the overall landscaping scheme.

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

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

Chairman Frances Solomon called for any public concerns/comments: The following expressed their concerns about the proposed petition and requested the Board to deny the request of a truck parking business. The concerns were safety, increase in traffic and more trucks in the area.

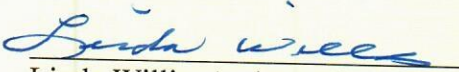
1. Dwayne Jones, located at 3779 Grant Road, Ellenwood, Ga
2. Donna Mullins, located at 4145 Williamson Road, Ellenwood, GA
3. Kathy Williams, located at 4145 Williamson Road, Ellenwood, GA
4. Maury Gusta, located at 2980 Village Park Drive, East, Ellenwood, GA
5. Schalla Dixon-Rogers, located at 2602 Brookgate Crossing, Ellenwood, GA
6. Chonda Turner, located at 2951 Parish Court, Ellenwood, GA
7. Vanessa Lloyd, located at 2113 Black Oak Lane, Ellenwood, GA
8. Angela M. Whitlock, located at 2225 Pineview Trail, Ellenwood, GA
9. Erica Sutton, located at 2323 Siler Maple Circle, Ellenwood, GA
10. Ronald Miller, located at 2826 Village Park Drive, Ellenwood, GA

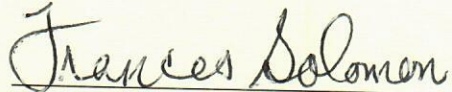
11. Steven Turner, Sr., located at 2348 Brookgate Way, Ellenwood, GA

The motion to **deny** case BZA-2111-0129 not being considered as a hardship was made by 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 Board Member Kathy Robison and seconded by Board Member Gloria McCain. The vote was unanimous.

The meeting adjourned at 7:45p.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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Board of Zoning Appeals
Meeting Minutes of March 17, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of March 17, 2022.

Members present in person were: Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Attania Jean-Funny, Board Member Kathy Robison, Board Member Quen Howard. John O'Neal was present from the Legal Department. Present from the Planning & Zoning Sustainability Department was Tiras Petrea-Zoning Administrator, Tre'Jon Singletary 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 February 17, 2022 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-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- Alieka Anderson

The Agenda description for case BZA-2108-0119 was read by Tre'Jon Singletary, Planning Consultant.

Staff recommends to **table due to related upcoming zoning cases.**

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

The motion to **table** case BZA-2108-0119 until April 21, 2022 was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

Chairman Frances Solomon called for New Business:

1. BZA-2201-0133

The applicant Cliff McGouish is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 – Estate Residential District Standards to increase the lot coverage from 10% to 18% for the construction of a new in-law suite addition, a second level loft, and extended wood deck, located at 2366 Emerald Drive, Jonesboro, GA 30236; further known as Parcel 06004D A004A. The subject property is zoned ER – Estate Residential and is approximately 1.26 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2201-0133 was read by Tre'Jon Singletary, Planning Consultant.

Staff recommends **approval** with one (1) condition.

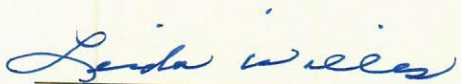
Chairman Frances Solomon called for the petitioner to present their case.

The applicant was not present.

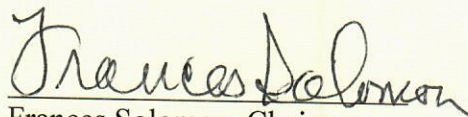
The motion to **table** case BZA-2201-0133 until April 21, 2022 due to the applicant not being present to represent their case was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

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 7:10p.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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Board of Zoning Appeals
Meeting Minutes of April 21, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of April 21, 2022.

Members present in person were Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Attania Jean-Funny, Board Member Kathy Robison, Board Member Quen Howard. John O'Neal was present from the Legal Department. Present from the Planning & Zoning Sustainability Department was Tiras Petrea-Zoning Administrator, Carletta Singleton, Tre'Jon Singletary, 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 March- 17, 2022 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.

1. BZA new meeting hours: **Pre-Meeting 5:45p.m. Public Hearing 6:00p.m.**

The motion to approve the new Public Hearing hours was made by Board Member Gloria McCain and seconded by Vice Chair Larry W. Bussey.

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old 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- Alieka Anderson

The Agenda description for case BZA-2108-0119 was read by Tre'Jon Singletary, Planning Consultant.

Staff recommends to **table due to related upcoming zoning cases**.

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

The motion to **table** case BZA-2108-0119 until July 21, 2022 was made by Board Member Gloria McCain and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

2. BZA-2201-0133

The applicant Cliff McGouish is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 – Estate Residential District Standards to increase the lot coverage from 10% to 18% for the construction of a new in-law suite addition, a second level loft, and extended wood deck, located at 2366 Emerald Drive, Jonesboro, GA 30236; further known as Parcel 06004D A004A. The subject property is zoned ER – Estate Residential and is approximately 1.26 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2201-0133 was read by Tre'Jon Singletary, Planning Consultant.

Staff recommends **approval** with one (1) condition.

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

The applicant was represented by David Brown, located at 2366 Emerald Drive, Jonesboro, GA.

The motion to **approve with condition** case BZA-2201-0133 was made by Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

Approved with the following condition:

- 1. The impervious percentage for the subject property shall be a maximum of 18%.**
-

Chairman Frances Solomon called for New Business:

1. BZA-2203-0134

The applicant Cliff McGouish is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 – Estate Residential District Standards to increase the lot coverage from 10% to 18% for the construction of a new in-law suite addition, a second level loft, and extended wood deck, located at 2366 Emerald Drive, Jonesboro, GA 30236; further known as Parcel 06004D A004A. The subject property is zoned ER – Estate Residential and is approximately 1.26 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2203-0134 was read by Tre'Jon Singletary, Planning Consultant.

Staff recommends **approval** with one (1) condition.

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

The motion to **table** case BZA-2203-0134 until May 19, 2022 was made by Board Member Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

2. BZA-2203-0135

The applicant Frank Twehues is requesting two (2) variances from Section 6.30 – Fence and Wall Standards 1) to increase the allowable height of a fence in the front yard from a six (6) ft maximum to an eight (8) ft maximum along the front yard and 2) allow for the fence along the frontage of the subject property to consist of a chain link topped with barbed wire or razor wire, located at 211 & 251 Charles W Grant Parkway, Atlanta, GA and further known as parcel numbers 13012C A002 & 13011 012001. The subject property is within the Mountain View Overlay District and zoned MVEDU (Mountain View Education District) and is approximately 21.173 +/- acres of land.

Commissioner District 2 – Gail Hambrick.

The Agenda description for case BZA-2203-0135 was read by Tre’Jon Singletary, Planning Consultant.

Staff recommends **approval** with one (1) condition.

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

The applicant was represented by Melanie Chavez, located at 250 West Court, Cincinnati, OH, and Frank Twehues, located at 61 Edgewood Drive, Ft. Thomas, KY.

The motion to **approve with conditions** case BZA-2203-0135 was made by Vice Chair Larry W. Bussey and seconded by Board Member Quen Howard. The vote was 5 to 1. Board Member Attania Jean-Funny opposed

Approved with the following conditions:

- 1. Existing landscaping remains the same to shield the barbed or razor wire fencing from being seen from the road frontage.**
 - 2. To allow chain-link fence topped with barbed wire along the front yard.**
-

1. BZA-2203-0136

The applicant Shelitha Robertson of The Renee Group, Inc., is requesting a variance from Section 3.4 – Estate Residential District Standards to increase the maximum structure height from 35 ft to 37 ft for the construction of a new home with pool and patio area, located at 2420 Emerald Drive in Lake Spivey, GA and further known as parcel number 06005A A001. The subject property is zoned ER (Estate Residential) and is approximately 2.6 +/- acres of land.

Commissioner District 4 – DeMont Davis.

The Agenda description for case BZA-2203-0136 was read by Tre'Jon Singletary, Planning Consultant.

Staff recommends **approval**.

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

The applicant was represented by Shelitha Roberson, located at 2420 Emerald Drive, Jonesboro, GA.

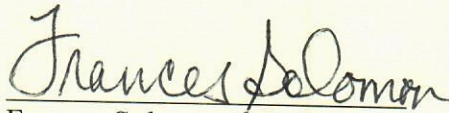
The motion to **approve** case BZA-2203-0136 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

There being no further business the motion to adjourn was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. 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
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Board of Zoning Appeals
Meeting Minutes of May 19, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of May 19, 2022.

Members present in person were Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Attania Jean-Funny, Board Member Kathy Robison, Board Member Quen Howard. Charles Reed was present from the Legal Department. Present from the Planning & Zoning Sustainability Department was Ellis Still, Aneri Patel and Linda Willis.

Members absent: None.

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 April 21, 2022. The vote was unanimous.

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

Report of Officers and Committees.

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business:

1. BZA-2203-0134

The applicant Cliff McGouish is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 – Estate Residential District Standards to increase the lot coverage from 10% to 18% for the construction of a new in-law suite addition, a second level loft, and extended wood deck, located at 2366 Emerald Drive, Jonesboro, GA 30236; further known as Parcel 06004D A004A. The subject property is zoned ER – Estate Residential and is approximately 1.26 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2203-0134 was read by Ellis Still, Planning Consultant.

Staff recommends **approval** with one (1) condition.

The motion to **table** case BZA-2203-0134 until June 16, 2022 due to not providing Staff with proof of mailings was made by Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

2. BZA-2204-0138

The applicant Candace Gray-Spann of Kitchens Kelley Gaynes, P.C., is requesting a variance from Section 4.104 – Parking Requirements of the Old Dixie Highway – Tara Boulevard Overlay District to reduce the amount of required parking spaces from 180 to 131, located at 6326 Old Dixie Road and further known as parcel number 13142B C001. The subject property is zoned ODMMX (Old Dixie Medical Mixed Use), resides in the Old Dixie Overlay District, and is approximately 2.4 +/- acres of land.

Commissioner District 4 – DeMont Davis.

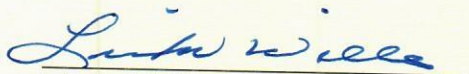
The Agenda description for case BZA-2204-0138 was read by Ellis Still, Planning Consultant.

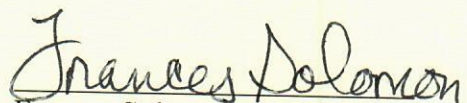
Staff recommends **approval** with two (2) condition.

The motion to **table** case BZA-2204-0138 until June 16, 2022 due to incorrect advertising was made by Board Member Gloria McCain 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 Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

The meeting adjourned at 6:04p.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
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

Board of Zoning Appeals
Meeting Minutes of June 16, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of June 16, 2022.

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

Members absent: None.

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 May 19, 2022. The vote was unanimous.

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

Report of Officers and Committees.

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business:

1. BZA-2203-0134

The applicant Cliff McGouish is requesting a variance from Article 3 Zoning District Intent, Uses and Standards, Section 3.4 – Estate Residential District Standards to increase the lot coverage from 10% to 18% for the construction of a new in-law suite addition, a second level loft, and extended wood deck, located at 2366 Emerald Drive, Jonesboro, GA 30236; further known as Parcel 06004D A004A. The subject property is zoned ER – Estate Residential and is approximately 1.26 +/- acres of land.

Commissioner District 4- DeMont Davis

The Agenda description for case BZA-2203-0134 was read by Ellis Still, Planning Consultant.

Staff recommends **approval** with one (1) condition.

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

The applicant was represented by James Crowes, located at 140 Sedgeview Drive, Hampton, GA.

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

The motion to **approve with condition** case BZA-2203-0134 was made by Board Member Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

Approved with condition:

- 1. Impervious surface cannot exceed 34.12 % of the Lot Area.**
-

2. BZA-2204-0138

The applicant Candace Gray-Spann of Kitchens Kelley Gaynes, P.C., is requesting a variance from Section 4.104 – Parking Requirements of the Old Dixie Highway – Tara Boulevard Overlay District to reduce the amount of required parking spaces from 180 to 131, located at 6326 Old Dixie Road and further known as parcel number 13142B C001. The subject property is zoned ODMMX (Old Dixie Medical Mixed Use), resides in the Old Dixie Overlay District, and is approximately 2.4 +/- acres of land.

Commissioner District 4 – DeMont Davis.

The Agenda description for case BZA-2204-0138 was read by Ellis Still, Planning Consultant.

Staff recommends **approval** with the following two (2) condition:

- 1. The parking layout on the site plan shall be adhered to as approved on the site plan dated 5/22/2022.**
- 2. The proposed site plan must be able to meet the Fire Code for access around the rear of the building.**

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

The applicant was represented by Marc Makwana, located at 400 Galleria Pkwy, Atlanta GA.

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

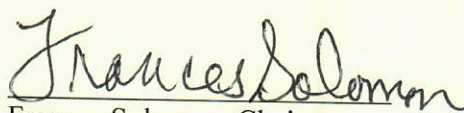
The motion to **deny** case BZA-2204-0138 due to being injurious to the public health was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

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

The meeting adjourned at 6:46p.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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Jonesboro, Ga. 30236

Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of July 21, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of July 21, 2022.

Members present in person were Chairman Frances Solomon, Vice Chair Larry W. Bussey, Board Member Gloria McCain, Board Member Attania Jean-Funny, and Board Member Kathy Robison. John O'Neal was present from the Legal Department. Present from the Planning & Zoning Sustainability Department was Tiras Petrea-Zoning Administrator, Ellis Still, and Linda Willis.

Members absent: Board Member Quen Howard.

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 June 16, 2022. The vote was unanimous.

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

Report of Officers and Committees.

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old 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.

(Request to table to July due to zoning cases BOC-2108-0138-FLUM; BOC-2108-0139-REZ; BOC-2108-0140-CUP to be heard by The Board of Commissioners on July 21, 2022).

Commissioner District 1- Alieka Anderson

The Agenda description for case BZA-2108-0119 was read by Ellis Still, Planning Consultant.

Staff recommends **approval** of the request.

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

The motion to **remove from the Agenda** case BZA-2108-0119 until August 21, 2022 was unanimous.

Chairman Frances Solomon called for New Business:

1. BZA-2205-0140

The applicant, Colliers Engineering and Design on behalf of R+L Carrier Inc., is requesting a variance from Article 6, Section 4.19 Parking Lot Landscaping Standards and Section 6.34 Landscaping Standards (LA-02.C2) to eliminate the requirement for interior planting and landscape islands in the tractor trailer parking lot area on the subject property located at 2975 Forest Parkway, Ellenwood, GA 30294. The proposed development will add employee parking spaces and additional trailer spaces at the existing R+L Carriers Ellenwood Terminal. The subject property is zoned HI- Heavy Industrial District and consist of 64.1 acres located near I-675N @ Forest Parkway and Double Bridge Road and is further known as Parcel 12182D A002.

Commissioner District 1 - Dr. Alieka Anderson

The Agenda description for case BZA-2205-0140 was read by Ellis Still, 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 Sam Mullikin, located at 600 Gillam Road, Wilmington, OH.

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

The motion to **approval with conditions** case BZA-2205-0140 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. The applicant shall install an 8-foot planted berm along the frontage of the property to screen the parking lot from view from the public right-of-way.**
 - 2. In lieu of planter islands, the applicant install comparable landscaping along the driveway to screen the area of the new parking additions both truck/trailer and vehicle.**
-

2. BZA-2205-0141

The applicant, Hillwood Development Company, LLC., on behalf of Clanton 75 LC., is requesting a variance from Article 6, Section 6.34 Landscaping Standards (LA-02.C2) to eliminate truck parking from the requirement for interior planting and landscape islands in the trailer parking lot area for a warehouse distribution facility on the subject property located at 2464 Mt. Zion Road, Jonesboro, GA 30260. The subject property is zoned MXI- Mixed Use Commercial - Industrial District and consist of 72.0 acres located near Mt. Zion Road and Richardson Parkway and is further known as Parcel 12085C A001.

Commissioner District 1 - Dr. Alieka Anderson

The Agenda description for case BZA-2205-0141 was read by Ellis Still, Planning Consultant.

Staff recommends **approval** with one (1) condition:

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

The applicant was represented by Kirby Glaze, located at 205 Corporate Center Drive, Stockbridge, GA., and Wayne Matthew, located at 417 Selborne Way, Palmetto, GA.

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

The motion to **approve with condition** case BZA-2204-0141 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robinson. The vote was unanimous.

Approved with the following condition:

1. **An 8-foot-high landscaped berm shall be installed to screen all trailer parking areas that are visible from the public right-of-way.**
-

3. BZA-2205-0142

The applicant, Natalie Ray, is requesting a variance from encroachment of 6 ft. into the 25' buffer on the west property line to allow the new structure to be placed on the 20' building setback line and encroachment into the 75' impervious setback to the east from 5 ft. to 8 ft. The proposed development is a duplex Townhouse. The subject property is located at 2536 Robin Hood Drive, Ellenwood, GA 30294, and further known as parcel number 12149C B018. The subject property is zoned RM- Multiple Family Residential District, and is approximately .0445 +/- acres located near Rex Road and Sherwood Place.

Commissioner District 1 - Dr. Alieka Anderson

The Agenda description for case BZA-2205-0142 was read by Ellis Still, Planning Consultant.

Staff recommends **acceptance of the applicant request to table**.

Chairman Frances Solomon called for any public concerns/comments:

1. Alison Jones, located at 5973 Dan Drive, Ellenwood, GA. Requested a copy of the plans.

The motion to **table case** BZA-2205-0142 was made by Board Member Attania Jean-Funny and seconded by Board Member Gloria McCain. The vote was unanimous.

4. BZA-2206-0144

The applicant, Integrated Science & Engineering, is requesting a variance from Article 3, Section 3.2., AG- Agriculture District Design Standards to reduce the minimum front yard setback from 50 ft. to 35 ft. on the subject property located at 2559 Mt Zion Rd, Jonesboro GA 30236, and is further known as Parcel 12085D B003. The proposed development will include the construction of an Aquaponics Farm Facility. The subject property is zoned AG- Agriculture District and consist of 5.0 acres located near the Richardson Parkway and Mt. Zion Road fork. (Companion zoning cases include BOC-2203-0193 (REZ) and BOC-2203-0194 (FLUM) that were approved by the BOC on June 21, 2022).

Commissioner District 1 - Dr. Alieka Anderson

The Agenda description for case BZA-2206-0144 was read by Ellis Still, Planning Consultant.

Staff recommends **approval** of the request.

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

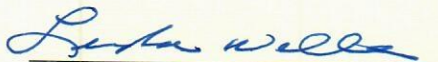
The applicant was represented by Jason Walls, located at 1039 Sullivan Road, Newnan, GA.

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

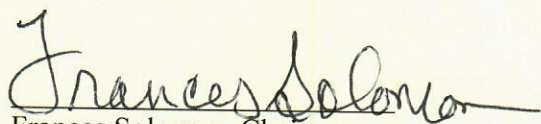
The motion to **approve** case BZA-2206-0144 was made by Board Member Gloria McCain and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

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

The meeting adjourned at 6:25p.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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Jonesboro, Ga. 30236

Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of August 21, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of August 18, 2022.

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

Members absent: None.

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 July 21, 2022. The vote was unanimous.

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

Report of Officers and Committees.

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old 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.

(Request to table to August due to zoning cases BOC-2108-0138-FLUM; BOC-2108-0139-REZ; BOC-2108-0140-CUP to be heard by The Board of Commissioners on August 16, 2022).

Commissioner District 1- Alieka Anderson

The Agenda description for case BZA-2108-0119 was read by Carletta Singleton, Planning Consultant.

Staff recommends **approval with 1 condition** of the request.

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., and Jack Chapman, located at 1430 Dresden Drive, Atlanta, GA.

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

The motion to **approve with conditions** case BZA-2108-0119 was made by Board Member Attania Jean-Funny and second by Vice Chair Larry W. Bussey. The vote unanimous.

Approved with the following conditions:

- 1. An 8-foot-high landscaped berm shall be installed to screen all trailer parking areas that are visible from the public right-of-way.**
- 2. Maintain Landscaping.**
- 3. No Truck parking in front yard.**

2. BZA-2205-0142

The applicant, Natalie Ray, is requesting a variance from encroachment of 6 ft. into the 25' buffer on the west property line to allow the new structure to be placed on the 20' building setback line and encroachment into the 75' impervious setback to the east from 5 ft. to 8 ft. The proposed development is a duplex Townhouse. The subject property is located at 2536 Robin Hood Drive, Ellenwood, GA 30294, and further known as parcel number 12149C B018. The subject property is zoned RM- Multiple Family Residential District and is approximately .0445 +/- acres located near Rex Road and Sherwood Place.

Commissioner District 1 - Dr. Alieka Anderson

The Agenda description for case BZA-2205-0142 was read by Carletta Singleton, Planning Consultant.

Staff recommends **approval with one (1) condition.**

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

The applicant was represented by Natalie Ray, located at 2564 Shatford Land, Morrow, GA.

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

The motion to **approve with condition** case BZA-2205-0142 was made by Board Member Gloria McCain and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

Approved with the following condition:

- 1. The structure be placed on the 19-foot building setback line.**

Chairman Frances Solomon called for New 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 Carletta Singleton, Planning Consultant.

Staff recommends **approval** with one (1) condition and denial of two (2) of requests.

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

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

Chairman Frances Solomon called for any public concerns/comments:

1. Patricia Norwood, located at 280 Mercedes Trail, Fayetteville, GA. Will cause problems with mosquitoes and will be too close to her property line.
2. Meia Ballinger, located at 1303 Summer Wind Drive, Jonesboro, GA. Will have special programs for children

The motion to **table** case BZA-2206-0143 until September 15, 2022 to receive additional information on the detention pond was made by Board Member Gloria McCain and seconded by Board Member Kathy Robinson. The vote was unanimous.

2. BZA-2206-0147

The applicant, Matt Miller – Hilltop Pools and Spas, Inc., is requesting a variance from Article 3, Section 3.4 Estate Residential District to increase the maximum allowable impervious percentage from 10% to 19.8% to install a new swimming pool on the subject property located at 2730 Emerald Dr, Lake Spivey, GA 30236. The subject property is further known as PARCEL NUMBER 06006A A004, in the zoned ER (Estate Residential), and contains approximately 1.00 +/- acres of land.

Commissioner District 4 – DeMont Davis

The Agenda description for case BZA-2206-0147 was read by Carletta Singleton, Planning Consultant.

Staff recommends **approval with one (1) condition** of the request.

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

The applicant was represented by Matt Miller, located at 9133 S. Main Street, Jonesboro, GA.

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

The motion to **approve with condition** case BZA-2206-0147 was made by Board Member Kathy Robison and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

Approved with the following conditions:

1. Setback requirements as stipulated in Article 3; Section 3.4 must be maintained on the property.
-

3. BZA-2207-0151

The applicant, Christopher Jung, is requesting a variance from Article 6, Section 6.32 Parking Lot Landscaping Standards (PK-03.H) and Section 6.34 Landscaping Standards (LA-02.C1-2) to eliminate the requirement parking islands and 8% interior landscape islands for parking lots with more than 15 parking spaces. The proposed development is a truck and trailer storage facility. The subject property is located at 2733 Forest Parkway, Ellenwood, GA 30294, and further known as parcel number 12182C B005 within the Highway 42 Overlay. The subject property is zoned HI- Heavy Industrial District and is approximately .794 +/- acres of land.

Commissioner District 1 - Dr. Alieka Anderson

The Agenda description for case BZA-2207-0151 was read by Carletta Singleton, Planning Consultant.

Staff recommends **approval** of the request.

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

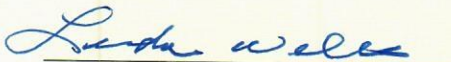
The applicant was represented by Christopher Jung, located at 245 Town Park Drive, Kennesaw, GA.

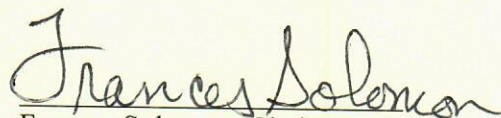
Chairman Frances Solomon called for any public concerns/comments: **None**.

The motion to **approve** case BZA-2207-0151 was made by Board Member Kathy Robison and seconded by Board Member Gloria McCain. The vote was unanimous.

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

The meeting adjourned at 7:25p.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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Jonesboro, Ga. 30236

Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of September 15, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of September 15, 2022.

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

Members absent: Chairman Frances Solomon

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 August 18, 2022. 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.

Vice Chair 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 recommends **approval of variance 1 and 2 with two (2) conditions, and denial of variance 3.**

Vice Chair Larry W. Bussey called for the petitioner to present their case.

The petitioner presented their case.

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

The motion to **table** case BZA-2206-0143 until November 17, 2022 for clarification from CCWA on the detention pond was made by Board Member Gloria McCain and second by Board Member Quen Howard. The vote unanimous.

Vice Chair Larry W. Bussey called for New Business:

1. BZA-2207-0148

The applicant, Joshua Videlefsky, on behalf of Gilbert Road Joint Venture, is requesting a variance from Article 6, Section 6.34 Parking Lot Landscaping Standards (LA-02.C2), to eliminate the requirement for interior planting and landscape islands in the truck trailer parking lot area for an office/warehouse facility on the subject property located at 3968 Gilbert Road, Unit 500, Atlanta, GA 30354. The subject property is zoned INDP – Industrial Park District and consists of 30.21 acres located near I-285 @ Gilbert Road and is further known as Parcel 13014A B016.

Commissioner District 2 – Gail Hambrick

The Agenda description for case BZA-2207-0148 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval with one (1) condition** of the request.

Vice Chair Larry W. Bussey called for the petitioner to present their case.

The petitioner presented their case.

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

The motion to **approve with condition** case BZA-2207-0148 was made by Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was unanimous.

Approved with the following conditions:

- 1. The variance for landscape islands does not apply to employee parking areas.**
-

2. BZA-2207-0149

The applicant, Joshua Videlefsky, on behalf of Gilbert Road Joint Venture, is requesting a variance from Article 6, Section 6.34 Parking Lot Landscaping Standards (LA-02.C2), to eliminate the requirement for interior planting and landscape islands in the truck trailer parking lot area for an office/warehouse facility on the subject property located at 3996 Gilbert Road, Unit 100, Atlanta, GA 30354. The subject property is zoned INDP – Industrial Park District and consists of 19.44 acres located near I-285 @ Gilbert Road and is further known as Parcel 13014A B017

Commissioner District 2 – Gail Hambrick

The Agenda description for case BZA-2207-0149 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval** with one (1) condition of the request.

Vice Chair Larry W. Bussey called for the petitioner to present their case.

The petitioner presented their case.

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

The motion to **approve with condition** case BZA-2207-0149 was made by Board Member Kathy Robison and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

Approved with the following conditions:

- 1. The variance for landscape islands does not apply to employee parking areas.**
-

3. BZA-2207-0150

The applicant, Laurel Fox, is requesting a variance from Article 6, Section 6.35 Buffer Yard Standards (BY) to reduce the 40 ft. required buffer to 20 ft. The subject property is located at 6499 Mt Zion Blvd, Morrow, GA 30260, and further known as parcel number 12117D C003 within the Highway 42 Overlay. The subject property is zoned GB – General Business District and is approximately 3.12 acres of land.

Commissioner District 1 – Dr. Alieka Anderson

The Agenda description for case BZA-2207-0150 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval** with two (2) conditions of the request.

Vice Chair Larry W. Bussey called for the petitioner to present their case.

The petitioner presented their case.

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

The motion to **approve with conditions** case BZA-2207-0150 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. Applicant will erect an ornamental fence on subject property abutting non-residential land use with the following dimension:**
 - a. Front shall be 6 ft.**
 - b. Side shall be 8 ft.**
 - c. Rear shall be 8 ft.**
 - 2. Installation of the fence shall adhere to all requirements in Sec. 6.30 - Fence and Wall Standards (FW) for non-residential land uses in the Zoning Ordinance.**
-

4. BZA-2207-0152

The applicant, Cynthia Jenkins, is requesting a variance from Article 3, Section 3.8 RS-110 Residential District Standards to reduce the minimum square footage requirement of living area from 1800 sq ft to 1422 sq ft; and from Article 6, Section 6.7 – Architecture and Appearance (AA-02. B.) to eliminate requirement for a two-car garage. The proposed development is a single family detached home. The subject property is located at 6275 Amherst Drive, Riverdale, GA 30274, and further known as parcel number 13117C A005. The subject property is zoned RS-110 – Residential District and is approximately 0.25 +/- acres located near Amherst Drive.

Commissioner District 2 – Gail Hambrick

The Agenda description for case BZA-2207-0152 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval** with one (1) condition of the request.

Vice Chair Larry W. Bussey called for the petitioner to present their case.

The petitioner presented their case.

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

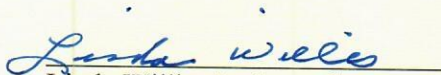
The motion to **approve with condition** case BZA-2207-0152 was made by Board Member Attania Jean-Funny and seconded by Board Member Kathy Robison. The vote was 4 to 1. Board Member Quen Howard opposed.

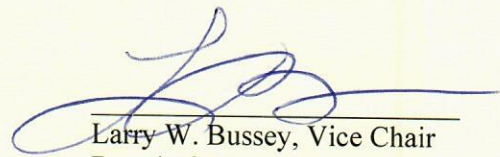
Approved with the following conditions:

- 1. New house(s) shall accommodate a one (1) car garage with driveway space for off-street parking for guest.**
-

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

The meeting adjourned at 6:50p.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
ALIEKA ANDERSON
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Clayton County
Planning, Zoning & Sustainability
Office
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236

Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of October 20, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of October 20, 2022.

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

Members absent: None.

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 September 15, 2022. 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-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 to **table** until the Applicant is ready to present their case

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

The motion to **table** case BZA-2206-0143 until the Applicant is ready to present their case was made by Board Member Gloria McCain and second by Vice Chair Larry W. Bussey. The vote unanimous.

Chairman Frances Solomon called for New Business:

1. BZA-2208-0153

A request by Gabriel Ramirez c/o Battle Law P.C. for a variance from Sec. 3.30 - LI Light Industrial Standards, to allow for a 7% increase in impervious coverage and various encroachments into the rear and side yard setbacks for an existing building at 9479 S Main St, Jonesboro GA 30236. The subject property, consisting of 3.24 +/- acres, is within the LI (Light Industrial) Zoning District and South Tara Blvd Overlay District, and is further known as Parcel 06032 033001.

Commission District 4 – DeMont Davis

The Agenda description for case BZA-2208-0153 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 not present to present their case.

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

The motion to **table** case BZA-2208-0153 until November 17, 2022 was made by Vice Chair Larry W. Bussey and seconded by Board Member Attania Jean-Funny. The vote was unanimous.

2. BZA-2208-0155

A request by Southern Crescent Habitat for Humanity c/o Cynthia Jenkins for a variance from Sec. 3.8 - RS-110 District Standards to decrease the minimum living area from 1800 sq ft to 1422 sq ft and a variance from Sec. 6.7 – Architecture and Appearance (AA) to reduce the requirement of a two-car garage to one, at 633 Bramble Ct, Jonesboro GA 30238. The subject property, consisting of 0.298 +/- acres, is in the RS-110 (Single Family Residential Zoning District), and is further known as Parcel 05247D G037.

Commission District 3 – Felecia Franklin

Staff recommend **approval of Variance #1 and approval with condition of Variance #2.**

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

The petitioner was represented by Cynthis Jenkins, 9570 Tara Blvd., Jonesboro, GA.

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

The motion to **approve** case BZA-2208-0155 with Staff's conditions was made by Board Member Attania Funny and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

Variance # 1: Approved - To decrease the minimum living area from 1800 sq ft to 1422 sq ft.

Variance # 2: Approval with Condition - To reduce the requirement of a two-car garage to one

1. **New house(s) shall accommodate a one (1) car garage with driveway space for off-street parking for guest.**
-

3. BZA-2208-0156

A request by Tallman Pools for a variance from Sec. 3.6 - RS-180 District Standards to increase the maximum lot coverage from 35% to 43% at 396 Thompson Ct, Hampton GA 30228. The subject property, consisting of 0.17 +/- acres, is in the RS-180 (Single Family Residential) Zoning District, and is further known as Parcel 05078A A049.

Commission District 3 - Felecia Franklin

The Agenda description for case BZA-2208-0156 was read by Ryan Sellers, Planning Consultant.

Staff recommends acceptance of the Applicant's request to **withdraw** the request.

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

The motion to accept the **withdrawal** of case BZA-2208-0156 was unanimous.

4. BZA-2208-0157

A request by Paulson Mitchell Inc. for a variance from Sec. 6.32 - Parking Standards (PK) to allow line-haul trailer parking within the minor-front, side, and rear setbacks at 2464 Anvil Block Rd, Ellenwood GA 30294. The subject property, consisting of 3.42 +/- acres, is in the HI (Heavy Industrial) Zoning District and the Highway 42 Overlay District, and is further known as Parcels 12236C B018 and 12236C B017.

Commission District 1 – Dr. Alika Anderson

The Agenda description for case BZA-2208-0157 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval** with six (6) conditions of the request.

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

The petitioner was represented by Andrew Vayhinger, 3050 Peachtree Road, Atlanta, GA.

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

The motion to **approve with conditions** case BZA-2208-0157 pending any future variance applications of the code was made by Board Member Attania Jean-Funny and seconded by Vice Chair Larry W. Bussey. The vote was unanimous.

Approved with the following conditions:

1. **Landscape islands shall be provided every 10 spaces.**
2. **Must provide sidewalks with a minimum width of six (6) ft along entire property**

- frontage.
3. **Lighting must be provided along streets and within the parking area.**
 4. **Stormwater runoff requirements by Clayton County Water Authority must be met before the issuance of an LDP.**
 5. **Decorative wall shall be included along all street frontage and fenced around the side and rear yard.**
 6. **Permanent trash refuse areas and dumpsters shall be located within the rear.**
-

5. **BZA-2209-0158**

A request by Armaan Property's LLC c/o Terry Boomer for a variance from Article 3, Section 3.32 - HI Heavy Industrial District Standards to reduce the minimum side yard setback from 50' to 25' for a fuel canopy at 600 Lake Mirror Rd, Atlanta, GA 30349. The subject property, consisting of 1.50 +/- acres, is in the HI (Heavy Industrial) Zoning District, and is further known as Parcel 13042D A002.

Commission District 2 – Gail Hambrick

The Agenda description for case BZA-2209-0158 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval** with two (2) conditions of the request.

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

The petitioner was represented by Terry Bonner, 211 E. Main Street, Canton, GA.

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

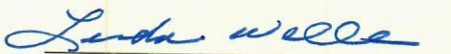
The motion to **approve with conditions** case BZA-2209-0158 was made by Board Member Gloria McCain and seconded by Board Member Kathy Robison. The vote was unanimous.

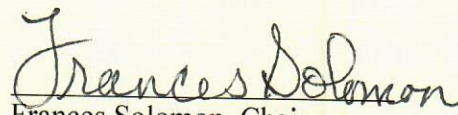
Approved with the following conditions:

1. **Must provide sidewalks with a minimum width of six (6) ft along all public streets.**
 2. **Permanent trash refuse areas and dumpsters shall be located out of sight from any roadway and located on a cement pad.**
-

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

The meeting adjourned at 6:37p.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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Jonesboro, Ga. 30236

Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of November 17, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of November 17, 2022.

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

Members absent: None.

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 October 20, 2022. 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-2208-0153

A request by Gabriel Ramirez c/o Battle Law P.C. for a variance from Sec. 3.30 - LI Light Industrial Standards, to allow for a 7% increase in impervious coverage and various encroachments into the rear and side yard setbacks for an existing building at 9479 S Main St, Jonesboro GA 30236. The subject property, consisting of 3.24 +/- acres, is within the LI (Light Industrial) Zoning District and South Tara Blvd Overlay District, and is further known as Parcel 06032 033001. **Commissioner District 4- DeMont Davis**

The Agenda description for case BZA-2208-0153 was read by Ryan Sellers, Planning Consultant.

Staff recommended to **approval of the request.**

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

The petitioner was represented by Tyler McSwain, located at 3562 Habersham, Tucker, GA.

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

The motion to **approve** case BZA-2208-0153 was made by Vice Chair Larry W. Bussey and second by Board Member Attania Jean-Funny. The vote unanimous.

Chairman Frances Solomon called for New Business:

2. BZA-2209-0159

A request by D.R. Horton Inc. c/o Tiffany Hogan for a variance from Sec. 4.12 – Public Improvement Standards, to allow for an encroachment of 2,670 sq. ft into the 50’ undisturbed buffer for property at 950 Hwy 138, Jonesboro GA 30236. The subject property, consisting of 10.88 +/- acres, is in the RM (Multi Family Residential) Zoning District and North Tara Blvd Overlay District, and is further known as Parcel 13209A A001 **Commission District 4 – DeMont Davis**

The Agenda description for case BZA-2209-0159 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 Tiffany Hogan, located at 1571 Dogwood Drive, Conyers, GA.

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

The motion to **approve** case BZA-2209-0159 was made by Board Member Gloria McCain and seconded by Board Member Kath Robison. The vote was unanimous.

3. BZA-2210-0160

A request by Kitchens Kelley Gaynes, P.C. c/o Candace Gray-Spann for a variance from Sec. 4.107 – Transit Oriented Development (TOD) Overlay District Standards to decrease the minimum living area of 750 sq ft to an average of 348 sq. ft at 6326 Old Dixie Rd, Jonesboro GA 30297. The subject property, consisting of 2.14 +/- acres, is in the ODMMX (Old Dixie Medical Mixed-Use District) and has the following overlays: Old Dixie Overlay District and TOD Core Overlay District, and is further known as Parcel 13142B C001. **Commission District 4 – DeMont Davis**.

The Agenda description for case BZA-2210-0160 was read by Ryan Sellers, Planning Consultant.

Staff recommends **denial** of the request.

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

The petitioner was represented by Candance Gray-Spann and Mark Makwng, located at 400 Galleria Parkway, Atlanta, GA.

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

The motion to **deny** case BZA-2210-0160 was made by Board Member Attania Funny and seconded by Board Member Gloria McCain. The vote was 4 to 2. Board Member Kathy Robison and Board Member Quen Howard opposed.

4. BZA-2210-0161

A request by Darrius Shannon for variances from Sec. 3.32 - HI Heavy Industrial District Standards for a reduction in the rear yard setback from 50' to 11'8" and increase in the lot coverage from a maximum of 70% to 75%; Sec 6.32 – Parking Standards (PK) for a reduction in the parking requirements from 65 spaces to 46 spaces at 6912 and 6924 Commercial Dr, Morrow GA 30260. Said property, consisting of ±1.06 acres, is in the HI (Heavy Industrial) Zoning District, located at the corner of Commercial Dr and Barton Rd, and is further known as Parcels 12082A C001 and 12082A C002.

District 4 – DeMont Davis.

The Agenda description for case BZA-2210-0161 was read by Ryan Sellers, Planning Consultant.

Staff recommends **approval** with one (1) condition.

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

The petitioner was represented by Darrius Shannon, located at 6928 Commercial Drive, Morrow, GA.

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

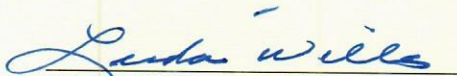
The motion to **approve with condition** case BZA-2210-0161 was made by Vice Chair Larry W. Bussey and seconded by Board Member Katy Robison. The vote was unanimous.

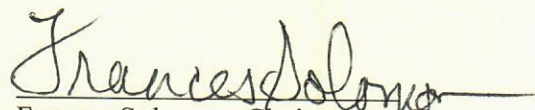
Approved with the following condition:

- 1. Combine parcel with the existing place of worship with the parcel with the proposed gymnasium.**

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

The meeting adjourned at 6:31p.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
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Planning, Zoning & Sustainability
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Jonesboro, Ga. 30236

Patrick Ejike
Director

Board of Zoning Appeals
Meeting Minutes of December 15, 2022

The regular meeting of the Clayton County Board of Zoning Appeals was held this date of December 15, 2022.

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

Members absent: None.

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 November 17, 2022. The vote was unanimous.

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

A. BZA Training by John O'Neil (after the BZA meeting)

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

The Public Hearing procedures were presented by Linda Willis.

Chairman Frances Solomon called for Old Business:

1. BZA-2210-0162

A request by Marcia Parker for a variance from Sec. 7.6 - Area and Bulk Regulations as shown on the Broadhurst Final Plat recorded under Plat Book 31 Page 159 to allow for an encroachment of 92 sq. ft. into the 30' rear buffer at 1203 Millwood Dr, Riverdale GA 30296. Said property, consisting of ±0.17 acres, is in the PUD Zoning District, and is further known as Parcel 13200B B052.

Commission District 2 – Gail Hambrick

The Agenda description for case BZA-2210-0162 was read by Ryan Sellers, Planning Consultant.

Staff recommended **approval of the request.**

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

The petitioner was represented by Marcia Parker, located at 1203 Millwood Drive, Riverdale, GA.

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

The motion to **approve** case BZA-2210-0162 was made by Board Member Attania Jean-Funny and second by Board Member Kath Robison. The vote unanimous.

Chairman Frances Solomon called for New Business:

2. BZA-2211-0163

A request by Ronald Torralba for a variance from Sec 6.32 – Parking Standards (PK) for a reduction in the parking requirements from 260 spaces to 200 spaces for property located at 1155 Southern Rd, Morrow GA 30260. The subject property, consisting of ±15 acres, is within the HI – Heavy Industrial Zoning District, and is further known as Parcel 13176B A002.

Commission District 4 – DeMont Davis

The Agenda description for case BZA-2211-0163 was read by Ryan Sellers, Planning Consultant.

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

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

The petitioner was represented by Ron Torralba, located at 3490 Piedmont Road, Atlanta, GA.

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

The motion to **approve with condition** case BZA-2211-0163 was made by Board Member Gloria McCain and seconded by Board Member Kath Robison. The vote was unanimous.

Approved with the following conditions:

- 1. Landscape islands must be placed every 10 parking spaces.**

BZA Training – Presented by John O’Neil – Senior Staff Attorney

Start Time: 6:16p.m

The following topics was discussed:

End Time: 6:36p.m.

- What Are the Duties of the BZA?
 - Variance and Administrative Appeal Flow (Sec. 13.21)
 - Variances - Section 10.8 of the County Zoning Code
 - Administrative Appeals - Section 10.11 of the County Zoning Code
 - What To Consider When Making A Decision
 - Deciding Administrative Appeals
 - What the Board Should **NOT** Consider.
 - If a Variance or Appeal Is Denied
-

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

The meeting adjourned at 6:36p.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