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



PATRICK EJIKE  
DIRECTOR

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Clayton County Zoning Advisory Group  
Minutes of October 5, 2015

The regular meeting of the Zoning Advisory Group was held this date of October 5, 2015 in the Commissioners Board Room, Administration Building 112 Smith Street, Jonesboro, Georgia.

Members present were: Chairman Herman Turner, Vice Chairman Addie Whittaker, Board Member KC Watts, Board Member Frenda Norwood, Board Member Rae James and Board Member Larry Bussey. Kimberly Smith, and Linda Willis were present from Community Development.

Members absent were: Board Member Kevin Lewis and. Legal counsel was not represented.

The meeting was called to order at 7:00pm by Chairman Herman Turner. The pledge of allegiance was said in unison.

The motion to approve the agenda was made Board Member Larry Bussey and seconded by Board Member KC Watts. The vote was unanimous.

The motion to approve the minutes of September 2, 2015 was made by Board Member Frenda Norwood and seconded by Board Member KC Watts. The vote was unanimous.

**Chairman Herman Turner** asked for recognition of anyone having business with the Zoning Advisory Group. There were none.

**Chairman Herman Turner** asked if there were any Reports of Committees or Old Business. There were none.

The Procedures for the Clayton County Zoning Advisory Groups' Public Hearings was given by Ms. Linda Willis.

The Chairman called for New Business.

**a. PEZ-15/06-207**

The Applicant, **Wanda Moore** on behalf of The Bank of Georgia c/o H. Russell Byrd is requesting to combine five (5) lots in the **Stoney Creek Residential Subdivision Phase 3** for the purpose of constructing an amenity area and to Re-Plat Final Plat. The lot combination request is for parcels identified as 05113D-D008; 05113D-D009; 05113D-D010; 05113D-D011; 05113D-D012. The subject properties are located in Land Lot 113 of the 5<sup>th</sup> District. The property is zoned RS-180-Conservation.

**Commissioner District 3 – Shanna M. Rooks**

The staff report for case PEZ-15/06-207 was given by Kimberly Smith of Planning and Zoning.

**Kimberly Smith:** The Planning & Zoning Staff recommends **Approval**. Just to give you a little background on this application: When this subdivision was originally rezoned one of the condition of zoning was that it had an amenity area. Combining these five (5) lots will accomodate that request.

**Chairman Herman Turner** called for the petitioner to present their case.

The petitioner was represented by Ms. Wanda Moore of Bass Consultant, located at 235 Corporate Center, on behalf of Stoney Creek Subdivision.

**Ms. Wanda Moore:** We were hired on behalf of our client to layout the amenity area according to the conditions of Clayton County Board of Commissioners. I will be glad to answer any questions you may have.

**Chairman Herman Turner** called for anyone that was in opposition of the petition. There were none.

**Chairman Herman Turner** asked if there were any questions from the Board Members.

**Chairman Herman Turner:** Ms. Moore, your client has agreed to what they are requesting? **Ms. Wanda Moore:** Yes. The conditions that were part of the Board of Commissioner letter of October 22, 2014 stipulated that the amenity area would include a walking trail, play scape for children, and a brick/stone fire pit with permanent seating area. We have laid out a site plan to accommodate those things, as well as an area for a group mail box, which is now a requirement by the Postal Service. Just a little background: We went back and forth with Staff here at Clayton County with KC Krzic, who is no longer here. At the time she was in the process of reviewing and that particular condition wasn't adhered to in the plan. This plan is a direct result of those conditions, as well as the back and forth that my client under took with Clayton County's Planning Staff.

**Board Member KC Watts:** Is the five (5) lots total? **Ms. Wanda Moore:** Yes sir.

**Board Member KC Watts:** What is the combined lots? **Ms. Wanda Moore:** I believe the Staff Report indicated +/- an area.

**Board Member KC Watts:** What is the distance of the walk trail? **Ms. Wanda Moore:** It is roughly 700 linear feet, which will loop around on the existing sidewalk.

**Board Member KC Watts:** So, its ties into the sidewalk? **Ms. Wanda Moore:** Yes sir. We did that to reduce the amount of imerivious surface, sice we are adjacent of a creek. We wanted to make the most sense and give the most area to be able to make a reasonable loop. The requirement was for a walking trail, so we facilitated the existing sidewalk and tied that in so it will be a big loop with a nice grassy area for kids to play.

**Board Member KC Watts:** So the trial loops through the subdivision and back into? **Ms. Wanda Moore:** No sir. You go through the subdivision, and that particular amenity area, the trail itself provides a small loop that oges down into next to the adjacent, then comes back out. Again it was to accommodate the stipulation and we felt like as far as the length of it and the location next to the creek. The original plan actually showed it making a a little circle, which really was useless. I hate to say that.

**Board Member KC Watts:** Instead of a useless trail, you guys have made it more useful? **Ms. Wanda Moore:** I think we have.

Due to the conditions that were met for the community:

The motion to **approve** Case# PEZ-15/06-207 due to the conditions that were met for the community, was made by Board Member KC Watts and seconded by Board Member Larry Bussey. The vote unanimous.

b. **MOD-15/07-5**

The Applicant **Clayton Northbridge, LLC**, is requesting a **Modification to a Condition of Zoning** in the Northbridge Estates Subdivision, Unit Five, located in Land Lots 77, 78, and 84 of the 5<sup>th</sup> District. The final plat was recorded in plat book 37, pages 21-26, and dated 5-24-2005. The applicant's request to **modify a condition from 33% of units with 1-car garage side entry to 9% of units with 2-garage side entry**. The subject properties are zoned Residential District (RS-180-CR), consists of 114+/- acres of land and have primary access off of Northbridge Road.

**Commissioner District 3 – Shana M. Rooks**

The staff report for case MOD-15/07-5 was given by Kimberly Smith of Planning and Zoning.

**Kimberly Smith:** This application did come before this Board in January of this year, and ZAG committee did recommend denial. Since that time before it went before the Board of Commissioners, the application was withdrawn. The application has come back since that time and the Applicant has met with the community and have come to an agreement. The community is in support of this application. In both Staff Reports, Staff did recommend approva.

**Chairman Herman Turner** called for the petitioner to present their case.

The petitioner was represented by Mr. Steve Moore of Moore Bass Consulting, located at 1350 Keysferry Court, McDonough GA, and Ms. Donna Black, located at 270 North Jeff Davis Drive, Fayetteville, GA on behalf of Northbridge LLC.

**Mr. Steve Moore:** As Kimberly mentioned, my client currently owns 109 platted lots in Northbridge Estates Unit 5. Our request is to modify a single condition on the face of that Plat that requires 33% of the homes to have single car side entry garages. You may remember when we were here before, we had a consider amount of residents from Northbridge Estates with some concerns about this request. Since that time like Kimberly said, my client has met with the Homeowner Association representatives, and I am happy to report that there is an agreement in place, an understanding, and support from the Northbridges residents for our request. I know some of you have already heard this, but I would like to give a brief history of why we are here, and answer any questions you may have. In 2005, Northbridge Estates was approved with that condition I just spoke of. That same condition exist for Phase 1 through Phase 4 as well. The difference is Phase 1 through Phase 4 were granted a different zoning category than Unit 5. RS-180 is the zoning for Phase 1 through Phase 4, and the minimum lot size approved for those 4 phases were 100 foot wide for 1/3 of the lots, 120 foot wide for the other 2/3 lots. When you have 100 and 120 feet wide lots it makes it very easy to accommodate a side entry garage. Northbridge Estates Unit 5 was approved under a different zoning category called RS-180CR, which was a conservation subdivision. Basically it allowed you to reduce the size of your lots and take that extra area and donate it as open space. When you do that, obiviously you get exactly that, you get smaller lots with open space. Typically a builder needs about 90 feet minimum to be able to accommodate a side entry garage. These lots are closer to 70 feet and so that is really the challenge we have run into. All of the corner lots are the lots that make it very easy for the builder to accomodate a side entry garage, and that's the justification for our 9%. There are (4) existing lots or homes in that Phase that do have side entry garages, which are all corner lots. By approving this Variance it will allow the builder to put larger footprints, larger homes on the lots, instead of having to allocate so much space to the driveways and the turnarounds that is required to be able to make a turn into a side entry garage. That's our purpose for being here, and that's the history of how we got here. We understand Staff recommended approval and we are happy about that. I am happy to answer any questions you may have.

**Chairman Herman Turner** called for anyone that was in opposition of the petition. There were none.

**Chairman Herman Turner** asked if there were any questions from the Board Members.

**Board Member KC Watts:** When you met with the community, what was the arrangements that made them happy? **Ms. Donna Black:** I did meet with the representatives from the community on a number of occasions. We were able to work out an agreement where we are investing in the neighborhood itself through our closings. We are returning part of the funds from the lots that are being returned to the neighborhood for the HOA to invest as they see fit for their neighborhood. We were able to work out an agreement and it is in writing, its been signed by all of the parties. Everybody is a winner. There were a lot of effort that went into finding something that worked for the parties, and I am proud to say we have reached that point.

**Board Member KC Watts:** So, you all have worked out the larger size homes that you want, side entry on corner lots, and received some funds to some upgrades? **Ms. Donna Black:** Yes, that's correct.

**Chairman Herman Turner:** So, this is a win win situation, **Ms. Donna Black:** I think so, and I have to say the neighborhood thinks so too.

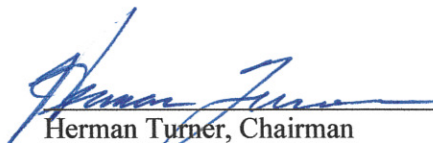
The motion to **approve** Case# MOD-15/07-5 was made by Board Member Frenda Norwood and seconded by Vice Chairman Addie Whittaker. The vote was unanimous.

There being no further business, the motion to adjourn was made by Board Member Frenda Norwood and seconded by Board Member Larry Bussey. The vote was unanimous.

The meeting adjourned at 8:00 p.m.



Linda Willis, Assistant Secretary  
Zoning Advisory Group  
Clayton County, Georgia



Herman Turner, Chairman  
Zoning Advisory Group  
Clayton County, Georgia