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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 August 3, 2015

The regular meeting of the Zoning Advisory Group was held this date of August 3, 2015 in the Commissioners Board Room, Administration Building 112 Smith Street, Jonesboro, Georgia.

Members present were: Chairman Herman Turner, Vice Chairman Michelle Mayorga, Board Member KC Watts, Board Member Frenda Norwood, Board Member Kevin and Board Member Larry Bussey. Patrick Ejike, Director, Kimberly Smith, and Linda Willis were present from Community Development.

Members absent were: Board Member Jacqueline M. Peoples 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 Vice Chairman Michelle Mayorga and seconded by Board Member Frenda Norwood. The vote was unanimous.

The motion to approve the minutes of June 1, 2015 was made by Board Member Frenda Norwood and seconded by Vice Chairman Michelle Mayorga. The vote was unanimous.

There were no minutes for approval for July 8, 2015, due to no quorum.

**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. CUP-15/05-16 & BZA-15/06-69**

The Applicant, Ellen Smith on behalf of SBA Towers V, LLC c/o Carter Smith, is requesting a CUP (Conditional Use Permit) from Article 3, Section 3.31 HI (Heavy Industrial) District; a variance from Article 6, Section 6.37 TF-06.A.1 Design Standards for Telecommunication Facilities to reduce the tower height setback and a variance from Article 6, Section 6.37 TF-06.D.1, Landscaping to eliminate ten (10) feet wide landscape buffer requirement to allow for the construction of a new wireless communication facility (cell tower). The subject property is located at 1053 Mt. Zion Road, Morrow,

GA 30260 and otherwise known as parcel number 13-145A-E009. The subject property contains approximately 3.963 +/- acres of land and it is currently zoned HI (Heavy Industrial) District.

**Commissioner District 4 – Michael Edmondson**

The staff report for case CUP-15/05-16 & BZA-15/06-69 was given by Kimberly Smith of Planning and Zoning.

**Kimberly Smith:** The Planning & Zoning Staff recognizes that this application does not have significant potential to be detrimental to the general public health, safety or welfare, of the surrounding community. Based on this, other findings highlighted in this staff report, and the accompanying application materials, the Planning & Zoning Staff recommends **Approval**

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

The petitioner was represented by Ms. Ellen Smith, located at 100 Galleria Parkway, Atlanta, GA, on behalf of SBA Towers V, LLC c/o Carter Smith.

**Ms. Ellen Smith:** These applications if approved will result in a new cell tower. It is 150 feet tall, it is a monopole tower, which means it does not look like a ladder going up like a straight up pole with antennas on the top. The property is 3.93 acres and currently zoned Heavy Industrial and improved the Gerber Collision and Glass repair shop. It is located to the rear or south of the Firestone fronting on Mt. Zion Road, directly across from Southlake Mall. The general vicinity of the area is Heavy Industrial with a focus on automotive repair and parts, retail outlets and garages. We leased little more than a 0.10 of an acre, plus the utility and access easement for the location of the cell tower. The leased portion is in a paved part of the parking lot that is currently there, right behind the Firestone building. The proposed tower is 150 feet, it will be 155 feet when you add the lightning rod that is at the top of the tower, and it will have ground-mounted communications equipment as well. Because it is a new tower we must come before you and the Board for a conditional use permit. We meet all of the requirements set forth in the Telecommunication Standards with respect to the design aesthetic, height limitation, and colocation design requirements. But we have asked for variances as Kimberly has mentioned and I will get to those in a few minutes. This tower is designed to support Verizon Wireless, it would also support 2 additional carriers as well. So Team Mobile, AT&T, Sprint if they sought and needed collation at this location the tower will be built and designed to accommodate them as well. The standards set forth in the Ordinance requiring you to consider 8 different factors when you consider a Conditional Use Permit. I could list them, but as Kimberly stated, the Staff Report goes through that analysis and the analysis reflect a recommendation of approval. We are designed to be in an already industrial area, we are located behind existing buildings on an existing impervious surfaces. The service that customers will achieve through this facility would enable them to make emergency and other telephone calls. We are compatible with already commercial and industrial area that's already there. It's designed to minimize any impact to the greatest extent possible on nearby residential area. We did submit photos simulations that will show what the tower would look like when built. (Shown by display board, what it would look like and stated it was in the package). Approval of these applications will further the county's' stated goals of ensuring access to reliable wireless communication services in the county, encouraging the location of new support structures in non-residential areas, conforming to Federal and State laws. Verizon is the carrier that needs this location, there is not another location within 300 feet. That is the tower separation required according to your Ordinance. Verizon nearest location is a little over a mile away. They are looking for improvement both from a capacity standpoint (meaning the number of calls) and coverage. They are looking to serve the people that visit this area, but also who visit the south and west of this site, including Tara Elementary School, which is a few tax parcels away. This will enable emergency services, and folks with Version Wireless phones at the school to use them more effectively.

The two variances under the standards, the facility would have to be setback 150 feet, which is the height of the tower from every property line, which is not possible for this piece of property. The proposed is to be located well over the tower height from any off-site adjacent structure, including the apartments that is west of this property. In case of the nearest residential building we are more than 217 feet away at the nearest point, which is exceeding the requirements. Additionally, we asked for a variance to avoid the installation of a 10 foot wide landscape

structure around the site. It is in the middle of a paved parking lot, so adding a landscape structure we think aesthetically not appropriate. The fencing that will surround the property, plus the existing building will screen the property. I respectfully request your approval.

**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.

**Vice Chairman Michelle Mayorga:** Most cell towers have safe zones. Does this tower collapse on its own?

**Ms. Ellen Smith:** Yes. It is designed with break points in every third of the tower height (every 50 feet). This tower is designed to collapse upon itself. Engineering reports was submitted to support that.

**Vice Chairman Michelle Mayorga:** What is the wind load for the tower? **Ms. Ellen Smith:** I can look it up because it is in the report. In January, 2014 the standards changed more stringent and it is designed to meet all those Federal and State requirements. I will be glad to look it up. I just don't know it at the top of my head, I apologize.

**Board Member Kevin Lewis:** Were there any other alternate sites you were looking at? **Ms. Ellen Smith:** We submitted a property conditional report and a site acquisition report and did look at all available alternative properties. They either failed because they were closer in proximity to residential units. There were not any that met the need of the carrier. They were not any existing building that Verizon could co-locate on, that is their absolute first search.

**Board Member Kevin Lewis:** You and the carrier looked at two or three sites, so are you saying you looked the one site? **Ms. Ellen Smith:** Don't get me wrong, if that's what you heard. They looked at the entire area. There is a search area that we submitted with the application where both their radio frequencies engineers first identify by search area or location they prefer to be in to maximize their coverage. (Indicated each search area circled on the site map). They look at every piece of property within that circle and around the circle if they could go a little higher or design the antennas differently could they achieve the same coverage, and the answer is no. Also listed is all the tax parcels that they looked at.

The motion to **approve** Case# CUP-15/05-16 & BZA-15/06-69 was made by Vice Chairman Michelle Mayorga and seconded by Board Member Frenda Norwood. The vote was 5 to 1, with Board Member Kc Watts opposing.

b. **CUP-15/05-15**

The Applicant, Shiloh Baptist Church, is requesting a CUP (Conditional Use Permit) from Article 3, Section 3.5 RS-180 (Residential) District to allow for a church to operate a private school on the property. The property is located at 8955 Fayetteville Road, Jonesboro, GA and otherwise known as parcel number 05-242C-A001. The subject property is approximately 8.75+/- acres of land.

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

The staff report for case CUP-15/05-15 was given by Kimberly Smith of Planning and Zoning.

**Kimberly Smith:** The Planning & Zoning Staff recognizes that this application does not appear to be detrimental to the general public health, safety or welfare, of the surrounding community. The proposed development does meet the basic intent and criteria associated with Clayton County Zoning Ordinance. Furthermore, it does correlate to the goals and policies of the Comprehensive Plan. Therefore, the Planning & Zoning Staff recommends **APPROVAL** of the conditional use permit request to allow the existing church property to operate a private PK-12th grade school, with one condition for the Applicant who owns the adjacent property to the immediate south of the subject property, combine the two (2) parcels into one parcel to meet the required minimum 200 feet road frontage requirement for private schools.

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

The petitioner was represented by Ms. Arlecia Taylor, located at 325 Phillips Drive, Fayetteville, GA, on behalf of Shiloh Baptist Church.

**Ms. Arlecia Taylor:** We have property located at 54 W. Fayetteville Road as well, which is the property we are seeking the Conditional Use Permit in order to have the private school. As stated earlier by Ms. Kimberly, we have 20 acres that is connected to that property. I believe we are going to combine the two properties together to make a total of 30 acres. On the 8.75 acres there is an existing building that Shiloh Baptist Church own and we want to house a private school there. The school we want to house there is Hope Christian Academy. We have been in existence for 10 years. The school is currently fully accredited "With Quality" through the Georgia Accrediting Commission. We have had 5 graduating senior classes. All of our students are doing extremely well, to college to military. We have also partner with Clayton Public Schools along with Fayette, Henry, Fulton, DeKalb and a few more of the surrounding areas through their Title 1 programs. We partner with them for at risk children. This year we are part of the 21<sup>st</sup> Century Grant program through Clayton County Schools for after school enrichment programs. We are listed as a Tier 1 school with the US Armed Forces, so that our students that graduate have full rights to go into the military as any other student would. As a goal, we normally average 60 to 85 students. Our current enrollment this year is right at 60 students. We are asking for you all to approve the current location for us to be able to have our private school there.

**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:** I have a question for Kimberly – One of the condition from the County is to combine the two parcels for the driveway? **Kimberly Smith:** Yes. The frontage should be at least a minimum of 200 feet across the front of the parcel and right now it is at 119 feet. Because they do own the parcel south of it they would have the opportunity to combine to meet that 200 feet, and they have the intention on during that.

**Board Member KC Watts:** So that is my question, what is your intention of combining two parcels? **Barbara Landfair, Trustee** (located at 2493 Black Fox Trail, East Point, GA: To answer your question Mr. Watts, our intention is at some point in time and we have not put a timeline on it yet as far as is to build a new sanctuary, and that's what our intent is to do. We have had that property for 20 years. Because the church has gone through several changes, at this point we got new vision and that's what we are moving forward to do and build a new sanctuary on that property. As for as the school is concern and working with our youth, everything that is currently at our church we are going cognation, we are getting back to where we use to be. But the whole thing is just to be able to get to a place where we can start involving our youth in the community and the surrounding communities.

**Board Member KC Watts:** So right now you do not any plans to extend that minimum square foot requirement for the driveway? **Barbara Landfair:** If that's what we need to do, we can go ahead and make that happen. As far as extending it as of right now we have not put it in writing what we need to do, but it can be done. We had anticipated that something like that might come up, and so we are willing to do it, if that's what it will take to make it happen.

**Vice Chairman Michelle Mayorga:** Your students are not currently in this facility, right, there are at another facility? **Barbara Landfair:** School is starting in 2 weeks. Right now, last year was the first year that the students meet in our sanctuary on West Mill Street. Our intent was to bring them there for the first year, with the intent of being able to move them over to that other location for this upcoming school year. This is what this rezoning will do if allowed to be at the Highway 54 location, which will give them more room for growth.

**Vice Chairman Michelle Mayorga:** The proposal states 50 students, and you are already at 60 students, how are you planning to expand that if you have more students coming through? **Kimberly Smith:** There is no minimum or maximum limit on the number of students.

The motion to **approve** Case# CUP-15/05-15 with the condition that they meet the required minimum 200 feet road frontage for private schools by combining the two parcels into one parcel was made by Board Member Frenda Norwood and seconded by Board Member Kevin Lewis. The vote was unanimous.

**c. PEZ-15/03-171**

The Applicant Moore Bass Consulting, Inc. is requesting acceptance and signature of the Replat for Final Plat known as **Northbridge Cove Subdivision**, to correct errors identified on previously recorded plat. The properties located on lot(s) **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 located Haley Lane and Pernell Drive**. The subject properties are approximately a combined 6.45 +/- acres of land and zoned Residential District.

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

The staff report for case PEZ-15/03-171 was given by Kimberly Smith of Planning and Zoning.

**Kimberly Smith:** The Planning & Zoning Staff recognizes that this application does not have significant potential to be detrimental to the general public health, safety or welfare, of the surrounding community. Based on this, other findings highlighted in this staff report, and the accompanying application materials, the Planning & Zoning Staff recommends **Approval**

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

The petitioner was represented by Mr. Steve Moore, located at 1350 Keys Ferry Court, McDonough, GA, on behalf of Northbridge Cove Subdivision.

**Mr. Steve Moore:** Our request is very simple. The developer after they purchased the property hired us to do some additional surveying (this was a recorded subdivision). We identified some discrepancies on what we founded verses what the original recorded plat showed. We fixed some of the discrepancies and corrected the surveys. It is the same number of lots as originally approved. Some lots got smaller some larger, but they all are well over the minimum requirements. This will make everyone life a lot more easy in the future having corrected some of these errors. The error was based on the road that was built and was shown on the Final Plat in the wrong location.

**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:** This was a road change? **Mr. Steve Moore:** According to the Final Plat and the plat of record showed the road where it never really exist, it was drawn in the wrong location. Additionally, the rear boundary of the property was drawn in the wrong location. We surveyed several of the 20 tracts and identifies these discrepancies. We notified the owner, they already knew there was a problem, because the builders said that there was something wrong out here. We are finding pins that is showing on the Plat, but there are not showing up in the right location. That is when they put everything on hold and asked us to come out and evaluate the four pieces of the property. The company that did the original Plat is out of business. They asked us to fix the problem, and the only way, was to replat the subdivision, which requires the BOC approval. It was a simple drafting error.

**Board Member KC Watts:** You said some of the lots got smaller and larger. How did that happen if you say it was a drafting error? **Mr. Steve Moore:** Because of the actual location was different than what the Plat showed.

They showed a road in a specific location and the associated right-of-way based on that road location that the road was in the wrong location. When you put the right-of-way over the road where it really is, it changed the lot lines. In your package, the letter of intent describe every lot and what was shown on the original Final Plat and what we are showing as the revised square footage (10,700 to 10,200). This is a very small change, but again the minimum is 7000 square feet.

**Board Member Kevin Lewis:** The owner found out from the builder? **Mr. Steve Moore:** Yes.

**Chairman Herman Turner:** You are the company that went out to investigate? **Mr. Steve Moore:** Yes, sir. We are the company that prepared the new Final Plat. (Steve showed the Board the original Final Plat and the revised Final Plat).

**Vice Chairman Michelle Mayorga:** Will there be the same number of lots? **Mr. Steve Moore:** Yes.

**Chairman Herman Turner:** Does the County agree and accept these revisions? **Kimberly Smith:** Yes, that is correct.

The motion to **approve** Case# PEZ-15/03-171 was made by Vice Chairman Michelle Mayorga and seconded by Board Member Frenda Norwood. The vote was 5 to 1 (KC Watts opposed).

**d. CUP-15/06-17**

The Applicant, Shawn Riley on behalf of Decatur Properties, IV, Inc., is requesting a CUP (Conditional Use Permit) related to Article 3, Section 3.17 NB (Neighborhood Business) District to allow for the use of a child daycare facility. The subject property is located at **6048 West Fayetteville Rd, College Park, GA 30349** and otherwise known as parcel number 13-122A B001. The subject property contains approximately 3.4 +/-acres of land and it is currently zoned NB (Neighborhood Business) District.

**Commissioner District 2 – Gail Hambrick**

The staff report for case CUP-15/06-17 was given by Kimberly Smith of Planning and Zoning.

**Kimberly Smith:** The Planning & Zoning Staff recognizes that this application does not appear to be detrimental to the general public health, safety or welfare of the surrounding community. The proposed development does meet the basic intent and criteria associated with Clayton County Zoning Ordinance. Furthermore, it does correlate to the goals and policies of the Comprehensive Plan. Therefore, the Planning & Zoning Staff recommends **APPROVAL** of the conditional use permit request for the proposed daycare facility.

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

The petitioner was represented by Mr. Shawn M. Riley, located at 160 Landers Street, San Francisco, CA.

**Mr. Shawn M. Riley:** The request is for a Conditional Use Permit (CUP) to re-open an existing Daycare Facility that was built in 1993. At the time we understand that it was zoned Neighborhood Business (NB) that did not require a Conditional Use Permit (CUP) for a Daycare Center. But sub sequential to that time the Ordinance changed, thus requiring a CUP for a Daycare operation. The business was in operation from 1993 until 2 years ago, at which time it was closed by Georgia Childcare Licensing and have been vacant since that time. It was foreclosed by the bank. Our proposal is to relocate an existing Daycare operation that is on Flat Shoals Road that would like to move to this location, with a license capacity of about 100 children. The proposed location will have a license capacity to serve about 162 children. It will serve largely the community in which it sits. The proposed location is expected to offer care to infants to school agers. It will be operated by the Nations fourth largest for profit early education provider, which is Childcare Network, which currently operate in Clayton County. They

operate over 200 locations in ten states, and serve over 30,000 children each year. They operate 19 other locations within 30 miles of the proposed location including 25 in the Atlanta Metro region and 72 locations in the state of Georgia. I believe it makes them the largest operator of the Bright From The Start program. We do hope that you would approve this request, so they can return to a productive use as a Daycare Center as it was designed.

**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:** Will you have to renovate the building? **Mr. Shawn M. Riley:** We will do cosmetic enhancement inside, but it was built in 1993 and the standards were pretty good. We will remove 2 walls inside to create 2 classrooms out of 3, and enlarge the bathrooms to meet current ADA guidelines.

**Board Member Frenda Norwood:** Will Bright From The Start inspect the building before you move in? **Mr. Shawn M. Riley:** Absolutely. After the property get its Certificated of Occupancy, Bright From The Start comes in and measure all of the rooms, make sure that all the equipment is up to their specifications, they measure everything and approve it first before the operator came being operation.

**Board Member Frenda Norwood:** They will have to issue a new license for that location? **Mr. Shawn M. Riley:** That is correct.

**Board Member Kevin Lewis:** Which Flat Shoals are they moving from, Atlanta? **Mr. Shawn M. Riley:** Very close to Riverdale Road. They currently operate out of an old Kindercare Center that was built in 1980. It is within a mile of this location.

**Board Member Kevin Lewis:** So, they are still serving? **Mr. Shawn M. Riley:** Absolutely.

**Chairman Herman Turner:** Are you going to increase the number of students, and how will that affect parking? **Mr. Shawn M. Riley:** Their current facility is about 5000 square feet and has about 12 parking spaces, which is grossly under parked. The new location will offer about 30 spaces, more than enough to meet code.

**Board Member KC Watts:** In your letter of intent you stated there will be a considerable financial investment of the property to upgrade the appearance inside and out, to provide a quality early education environment. **Mr. Shawn M. Riley:** Absolutely. We don't intend to make a great number of structural changes, however, cosmeticaly will be updated because nothing has been done probably since 1993. In your package is a picture of what the new location will look like.

**Board Member KC Watts:** What about curve appeal. **Mr. Shawn M. Riley:** The building is metal frame, but it does hae a brick façade, and we will be adding signage and painting.

**Board Member Kevin Lewis:** Will traffic be impacted and is the parking lot wide enough for cars comin in and out? **Mr. Shawn M. Riley:** There is very good circulation (Showed survey).

**Vice Chairman Michelle Mayorga:** Will there be buses for this facility? **Mr. Shawn M. Riley:** Yes, there will be many mini buses that will transport to the locate elementary schools, just like they do now.

**Chairman Herman Turner:** Do you own any other locations? **Mr. Shawn M. Riley:** I just own the real estate and lease to the operator. Griffin, McDonough and Forest Park locations are the only ones in Clayton County.

**Board Member Frenda Norwood:** Are the Pre-K classes lottery funded? **Mr. Shawn M. Riley:** Yes. They are the largest provider of the Georgia Pre-K in the state.

The motion to **approve** Case# CUP-15/06-17 was made by Board Member Frenda Norwood and seconded by Vice Chairman Michelle Mayorga. The vote was unanimous.

**e. RECZ-15/06-17**

The Applicant, Betty C. Dorsey represented by Robert G. Franks, is requesting an amendment to the Official Zoning Map from RS-110 (Single Family Residential) to GB (General Business) to allow for the primary use of an office on the property. The subject property is located at **6008 Old Dixie Highway, Forest Park, GA 30297** and otherwise known as parcel number 13-115A B006. The subject property is approximately 0.40 +/- acres of land.

**Commissioner District 2 – Gail Hambrick**

The staff report for case RECZ-15/06-17 was given by Kimberly Smith of Planning and Zoning.

**Kimberly Smith:** The Planning & Zoning Staff recognizes that this application does not have the potential to be detrimental to the general public health, safety or welfare, of the surrounding community. Based on this, other findings highlighted in this staff report, and the accompanying application materials and concept plan, the Planning & Zoning Staff recommends **Approval** of the rezoning request to General Business District (GB) with the following conditions:

1. The permitted uses for the subject property/structure will be limited to professional office uses.

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

The petitioner was represented by Mr. Robert G. Franks, located at 121 N. Main Street, Jonesboro, GA, on behalf of Betty C. Dorsey.

**Mr. Robert G. Franks:** I am here tonight to represent Betty C. Dorsey in the potential rezoning of property located at 6008 Old Dixie highway. Ms. Dorsey has been the owner and resident of this property for over 50 years. She has seen a lot of changes over the years. She is wanting to rezone to GB (General Business) and move and relocate, because of the traffic, noise where she sleep. We believe this is consistency with the area and whats going on in as for as General Business up and down the street, and obviously across from us on the other 3 corners. At this time we will respectfully request that you approve the condition to rezone the property from RS-110 to GB.

**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 Kevin Lewis:** The property is at the intersection to the south? **Mr. Robert G. Franks:** Yes. To the south is residential property, which they would like to sale and rezone their property to commercial. (From Google Map/photos the surrounding area zonings were discussed).

**Chairman Herman Turner:** The property is on the very corner? **Mr. Robert G. Franks:** Yes.

**Board Member Kevin Lewis:** The structural itself will not change? **Mr. Robert G. Franks:** Correct. They would like to recondition the structural, and they know that they would need to comply to ADA, and County requirements/standards. They know they can not just up and use the structure as a 60 year old house. The entrance, bathrooms etc.. would need to be in compliaince, which would requirebuilding permits and plans to be submitted.

**Chairman Herman Turner:** Is there a business waiting to go in there? **Mr. Robert G. Franks:** Yes. There is a Travel Agency waiting to go in there. In the Travel Agency there wil be offices, and people in and out. It is not consider as a high traffic business.

**Board Member Kevin Lewis:** I have a question for Kim. What type of responses did you get from the community (CIM)? **Kimberly Smith:** There were one or two people that attended the Community Information Meeting (CIM). The only concern was that they had was why were we looking to rezone properties when we had so many other vacant ones in the general area. But it was not a comment in opposition to the rezoning, it was just a comment in general of why we are not using whats already available. They used the existing bread/bakery across the street as an example.

**Mr. Robert G. Franks:** If I might say something you will find amusing. There were actually three people there at the Community Information Meeting, and it turned out that two of them owned the properties adjacent on Old Dixie. It was one of them that as she was talking about afterwards they told me they owned the property down at the corner of Hilltop and would like to talk with me afterward (smile).

**Board Member Kevin Lewis:** How many houses are involved in that area, it seem like a great deal?

**Mr. Robert G. Franks:** On the coner itself of course, you have the one, then there is an adjacent property facing Old Dixie between Hilltop, and there are houses that goes down Barr Rdoad. I will be guessing to tell you how many there are.

**Board Member Kevin Lewis:** At leaset 10 to 12 houses? **Mr. Robert G. Franks:** I would not argue that, because I know there got to be at leaset that many in that general vicinity.

**Chairman Herman Turner:** So, that area is changing to business.

The motion to **deny** Case# RECZ-15/06-17 was made by Board Member Kevin Lewis and seconded by Vice Chairman Michelle Mayorga. The vote was 4 to 2.

**f. PHO-15/07-2 – Public Hearing ONLY**

Hecht Walker Attorney at Law on behalf of Dave Avant a recycling facility is seeking renewal of an EPD permit. Pursuant to the Georgia Department of Natural Resources, Environmental Protection Division public hearing requirements, comments and concerns will be accepted concerning the proposed permit issuance. The subject property is located at **3310 Grant Road in Conley, GA** and otherwise known as parcel number 12-243B-B-005. The property is currently zoned Heavy Industrial (HI) and is located within Land Lot 243 of the 12<sup>th</sup> District.

The staff report for case PHO-15/07-2 was given by Kimberly Smith of Planning and Zoning.

**Kimberly Smith:** This application is not for recommendation, but is open for comments from the public.

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

The petitioner was represented by Mr. Robert Quinn, located at 205 Corporate Center, Stockbridge, GA

Mr. Robert Quinn: I have nothing further to add, she did a great job presenting it. Previously a Conidition Use Permit (CUP) was received back in 2008. The use has stayed the same since that time. They are just seeking renewal of that permit.

**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. There were none.

The motion to **approve** Case# PHO-15/07-2 was made by Board Member Kevin Watts and seconded by Vice Chairman Michelle Mayorga. The vote was unanimous. No recommendation was required.

There being no further business, the motion to adjourn was made by Board Member Kevin Lewis and seconded by Vice Chairman Michelle Mayorga. 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