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Clayton County Community Development

Planning and Zoning
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VERIFICATION OF ZONING

Jones Lang LaSalle
Matt Oliaro, Vice President
Industrial Practice-Southeast
3424 Peachtree Road, NE Suite 400
Atlanta, Georgia 30326

District: 13th Land Lot: 176
Address: Southern Road
Legal Description: Yes
Requestor: M. Oliaro

The subject property is in unincorporated Clayton County and is currently zoned (HI), Heavy Industrial District, under the Clayton County Zoning Ordinance. The subject property is not subject to any specific zoning stipulations.

Notification is hereby made that no person may rely upon the continuance of the current zoning classification unless or until a qualified person has applied for a building permit, license or Certificate of Occupancy for the subject property for an activity permitted by the current Zoning Ordinance of Clayton County of 1987. Though the subject property is currently zoned as described above, no assurance can be or made as to the continuation of such zoning applicable to the subject property in the future. Such zoning is subject to possible change by the Board of Commissioners.

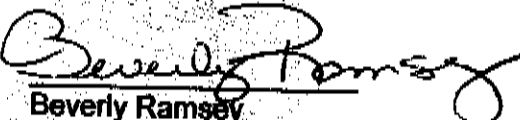
Property Description:

Subject property is identified as 8.79 acres located in Land Lot 176 of the 13th District of Clayton County,

Additional Comments:

Copies of applicable sections of the Clayton County Zoning Ordinance are attached.

December 18, 2007


Beverly Ramsey
Planning & Zoning Department

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- (20) Commercial vehicle repair; provided: There is not outdoor repair of vehicles.
- (21) Service stations.
- (22) Sign painting and fabricating shops.
- (23) Textile manufacturing plants.
- (24) Tire recapping and retreading shops.
- (25) Wholesaling or warehousing/distribution.
- (26) Accessory structures and uses.
- (27) Tractor trailer storage; provided: No parking of trailers or trucks within 50 feet of any property line. Any fencing along a public right-of-way shall be located behind the required landscaped buffer.
- (28) Drop lots; provided: No parking of trailers or trucks within 50 feet of any property line. Any fencing along a public right-of-way shall be located behind the required landscaped buffer.
- (29) Signs as stated in the provisions of article X.

817.3. *Accessory structures and uses.* Those accessory structures and uses determined by the zoning administrator to be customarily appurtenant to those structures and uses identified as permitted in this zoning district.

817.4. *Conditional structures and uses.* Upon application to and favorable decision thereon by the board of county commissioners as provided in article XIV and article XV, the conditional structures and uses specified herein are permitted in this district; provided, that their establishment promotes the health, safety, morals and general welfare of the county. Specific conditional structures and uses which may be permitted as so specified are as follows: Sanitary landfills when designed and operated in accordance with the regulations of the Georgia Environmental Protection Division.

- (1) Truck sales; provided: No parking of trailers or trucks within 25 feet of any property line. Any fencing along a public right-of-way shall be located behind the required landscaped buffer.

- (2) Trailer sales. Provided: No parking of trailers or trucks within 25 feet of any property line. Any fencing along a public right-of-way shall be located behind the required landscaped buffer.

817.5. *Development intensity restrictions.* The maximum intensity of development in this district is as stated in table VIII-1, subject to specific standards which may be stated elsewhere in this article, in article IX or by the board of county commissioners.

817.6. *Development dimensional requirements.* The minimum development dimensional requirements in this district are as shown in table VIII-2 subject to greater minimum requirements which may be stated elsewhere in this article, in article IX or by the board of county commissioners. (Ord. No. 01-55, § 2, 6-21-01)

Editor's note—Formerly section 816.

Section 818. HI heavy industrial district.

818.1. *Purpose.* This district provides for the broadest range of industrial operations permitted in the county. It is the district for location of those industries which have not reached a technical stage which renders them free of all nuisance factors. These uses are to be located on either an arterial or major collector street or when located within an industrial park shall have access to such thoroughfares.

818.2. *Permitted structures and uses.*

- (1) Any permitted structure and use identified as such in subsection 817.2 under the LI light industrial district.
- (2) Brick, tile and terra-cotta manufacturing.
- (3) Cement, lime, gypsum or plaster of paris manufacturing.
- (4) Concrete, cement products or clay products manufacturing.
- (5) Foundry or forging plants.
- (6) Grain elevators or commercial feed mills.
- (7) Poultry killing, plucking or processing.
- (8) Rock, sand or gravel distribution or storage.

- (9) Reserved.
- (10) Signs as stated in the provisions of article X.
- (11) Accessory structures and uses.
- (12) Trucking Facility.

818.3. *Accessory structures and uses.* Those accessory structures and uses determined by the zoning administrator to be customarily appurtenant to those structures and uses identified as permitted in this zoning district.

818.4. *Conditional structures and uses.* Upon application to and favorable decision thereon by the board of county commissioners as provided in article XIV and article XV, the conditional structures and uses specified herein are permitted in this district; provided, that their establishment promotes the health, safety, morals and general welfare of the county. Specific conditional structures and uses which may be permitted as so specified are as follows:

- (1) Airports, heliports and related landing areas.

- (2) Central mixing plants for cement, mortar, plaster and/or housing materials.
- (3) Development of natural resources, including the removal of minerals and natural materials together with necessary buildings and machinery; provided:
 - A. Any extension of quarrying operations beyond the limits actually being quarried at the effective date of this ordinance [October 16, 1987] shall be considered as a new operation and shall be subject to requirements herein.
 - B. Quarry areas being excavated shall be entirely enclosed within a fence located at least ten feet back from the edge of any excavation and of such construction and height as to be demonstrably able to exclude children and livestock.
 - C. At the time of application for use permit, the owners or operators of the quarry shall present to the commissioners comprehensive plans for the
 - C. Minimum office space of 20 percent of total non-repair-use structures.
 - D. Color schemes shall be comprised of earthtone colors, as determined by the zoning administrator; including for signage. Signage shall be limited to monument signs and wall signage.
 - E. Truck courts, trucks, and trailers must be located behind a fence or masonry wall no less than eight feet in height. The fence may not encroach into the front yard area past the front edge of the building. Such masonry fence/wall must match the earthtone color scheme of the building. In addition, trucks and trailers must be parked in an orderly fashion and on surfaces paved with asphalt or concrete.
 - F. Any truck repair must be performed inside an enclosed building.
 - G. The maximum impervious surface area for these types of uses 75 percent of the gross site area.
 - H. A landscaped buffer 50 feet in width with a eight-foot height berm or a 100 foot undisturbed buffer along any right-of-way, at the discretion of the Zoning Administrator.
- (4) Asphalt and concrete batching plants.
- (5) Bone rendering plants.
- (6) Salvage and junk yards, provided any such use is screened from public view by a solid wall, planted screen or similar opaque partition at least six feet in height, and provided such wall or opaque partition is set back at least 50 feet from all property lines.
- (7) Landfills when designed and operated in accordance with the regulations of the Georgia Environmental Protection Division.
- (8) Truck terminals; provided:
 - A. Class "A" materials, as defined in the building code, on each building wall.
 - B. Breaks, of at least 16 inches in depth, in the front building wall no less than every 40 feet.
- (9) Sexually oriented business, provided any such use will have a minimum of one acre lot size and have a minimum of 200 feet of immediate public road frontage along a street having a functional classification of no less than a major collector street in the county's land use and thoroughfare plan. In addition to other requirements as set forth in this ordinance, any rezoning application for a sexually oriented business conditional use permit shall include but not be limited to: Architectural elevation drawings, depicted in color and to scale, of the proposed development; an existing survey of the surrounding properties encompassing a radial distance of 1,500 feet from the property boundaries that shows all improvements; current land uses, prop-

erty owners, and surrounding zoning classifications; and proposed signage drawings depicted to scale and in color.

818.5. Development intensity restrictions. The maximum intensity of development in this district is as stated in table VIII-1, subject to specific standards which may be stated elsewhere in this article, in article IX or by the board of county commissioners.

818.6. Development dimensional requirements. The minimum development dimensional requirements in this district are as shown in table VIII-2, subject to greater minimum requirements which may be stated elsewhere in this article, in article IX or by the board of county commissioners.

(Ord. No. 98-31, §§ VIII, IX, 8-17-98; Ord. No. 99-17, § III, 2-18-99; Ord. No. 01-55, § 2, 6-21-01; Ord. No. 01-56, § 3, 6-21-01)

Editor's note—Formerly section 817.

Section 819. PUD planned unit development district.

It is the intent of this district to encourage development of compatible land uses on a scale larger than that of individual small parcels in a comprehensively planned setting. Such developments are to be very sensitive to the interrelationships of use, natural environment, architectural styles, scales of structures, intensities of development, and the larger community setting in which it is situated.

819.1. General restrictions. The types and locations of permitted structures and uses, accessory structures and uses, development intensity restrictions, development dimensional requirements, and other general conditions under which a PUD may be developed or allowed in a PUD district shall be specified in the PUD district plan for the specific PUD as approved by the board of county commissioners in the rezoning action taken pursuant to article XV. The restrictions and requirements specified in this section shall be construed only as the maximum and minimum parameters within which a PUD may occur or be utilized. It is the burden of the applicant for a PUD approval to demonstrate that the features of the proposed PUD are sufficiently interrelated and reasonable

as to be consistent with the purpose of this district, the purpose of this ordinance and the county's land use and thoroughfare plan.

819.2. Types of PUD districts allowed.

(A) Two categories of PUD districts may be allowed as described below:

(1) Single-character PUD districts which may be of only one of the following types of development:

- (a) Residential;
- (b) Office/institutional;
- (c) Commercial; or
- (d) Industrial.

(2) Comprehensive PUD districts which shall include at least two of the following types of development:

- (a) Residential;
- (b) Office/institutional;
- (c) Commercial; or
- (d) Industrial.

(B) The category and character of the PUD district shall be as specified in the PUD district plan as approved by the board of county commissioners in the rezoning action taken pursuant to article XV.

819.3. Structures and uses allowed.

(A) Only those structure types and uses specified in the PUD district plan as approved by the board of county commissioners in the rezoning action taken pursuant to article XV are permitted in a PUD district.

(B) Subject to the limitations on structural types and uses referred to in subsection 818.3(A) above, the following structures and uses may be permitted in a PUD district:

- (1) In an approved single-character residential PUD or in an approved comprehensive PUD containing residential development, any structure or use indicated as a permitted structure and use, accessory structure and use or conditional structure and