



## Planning Commission Minutes June 16, 2022

- Call to Order:** Michael Clinkscales called the meeting of the City of Forest Park Planning Commission to order at 6:00 p.m. on June 16, 2022.
- Roll Call:** Roderick Jackson, Donald Williams, Azfar Haque and Michael Clinkscales were present. Also present was Daija Blocker, Secretary and Director of Department of Planning and Community Development, James Shelby.
- Approval of Minutes:** Michael Clinkscales made a motion to approve minutes from the April 21, 2022, Planning Commission meeting. Azfar Haque seconded the motion. The vote was unanimous.
- Old Business:** No Old Business.
- New Business:**
- Item 1:** **Case: PC-2022-03**  
**Variance at 928 Dearing Street**  
**To reduce the ten (10) foot rear setback requirement to allow for an accessory structure in the rear yard of the property.**
- James Shelby states that the subject property is zoned RS Single-Family Residential. In this district, accessory structures must be placed no less than 10 feet from the rear property line. The applicant constructed a pavilion in the rear yard of his property without a permit. The unpermitted structure was built 5.5 feet from the rear property line where ten feet is required. The applicant is requesting a variance to reduce the rear accessory setback requirement of ten (10) feet to 5.5 feet to accommodate for this pavilion. Staff recommends APPROVAL of a variance to reduce the rear accessory setback requirement of 10 feet to 5.5 feet to accommodate for this pavilion. The requested variance will not be injurious to the public health, safety, morals, and general welfare of the community, and the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner with the following condition: If the Planning Commission approves the Variance, the applicant must apply for and receive a building permit to construct and complete the pavilion.



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Azfar Haque asks when the city found out that the structure had been put up?

James Shelby answered that the code enforcement officers must have seen it while in the area and stopped it.

Azfar Haque then asks how the city will stop others from putting up similar structures. Will the city change the zoning.

James Shelby answered that the city allowed this structure because it was in the backyard, and it is just a pavilion.

The applicant's brother was present to represent him because he is out of town and said that they were trying to get the permit, but they did not know they had to get a permit before building the pavilion.

*Donald Williams motion to approve variance at 928 Dearing Street. Azfar Haque seconded the motion to approve. Voting was unanimous.*

## Item 2:

Case: PC-2022-04

### Variance at 2135 Anvil Block Road

For a 50 foot "undisturbed" and 75 foot "no-impervious" stream buffer encroachment on designated buffered waters.

James Shelby states the project is a 13.5-acre site located in the Gillem Logistic Center. The nearest named waterbody is Big Cotton Indian Creek, the headwaters of which is located on the site. The applicant proposes to construct an approximately 169,520 square foot warehouse facility and associated infrastructure within the designated buffer zone. The Stream Buffer Protection Ordinance requires that an undisturbed natural vegetative buffer be maintained for fifty (50) feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank. An additional setback shall be maintained for twenty-five (25) feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling, and earthmoving shall be minimized within the setback. The applicant is requesting a Variance for 50-foot 'undisturbed' (Stream 1) and 75-foot 'no-impervious' stream buffer encroachment (Stream 2) on designated buffered waters to allow for the construction of the warehouse development. The proposed project will impact 14,783 square ft of 50-foot regulated stream buffer and 23,633 square feet of 75-foot regulated stream buffer. The project was issued a Certificate of Compliance with the Department



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of the Army Nationwide permit with conditions. The permitted activity is subject to a U.S. Army Corps of Engineer' Compliance Inspection.

Due to the physical characteristics of the property, staff recommends APPROVAL of a Variance for 50-foot 'undisturbed' (Stream 1) and 75-foot 'no-impervious' stream buffer encroachment (Stream 2) on designated buffered waters to allow for the construction of the warehouse development with the following conditions imposed by the U.S. Army Corps of Engineers:

- a) The activity is conducted in accordance with the information submitted and meets the conditions applicable to the NWP, as described at Part C of the NWP Program and the Savannah District's Regional Conditions for NWPs.
- b) Prior to the commencement of any permitted work in aquatic resources, the permittee shall purchase 3,588 legacy stream mitigation credits from Legacy Farms Mitigation Bank and submit documentation of this credit purchase to the U.S. Army Corps of Engineers. The credit purchase documentation must reference the Corps file number assigned to the permitted project. If all or a portion of the required credits are not available from Legacy Farms Mitigation Bank, the permittee shall obtain written approval from the Corps prior to purchasing credits from an alternate mitigation bank.
- c) All work will be performed in accordance with the plans and drawings which are incorporated in and made part of this permit verification: "Engineered Site Plan, Gillem 700", dated September 21, 2021, as well as all erosion control plans, which are not enclosed.
- d) The applicant shall notify the Corps, in writing, at least 10 days in advance of commencement of work authorized by this permit.
- e) The applicant will fill out and sign the required certification and return it to the Corps within 30 days of completion of the activity authorized by this permit.

Azfar Haque asks what NWP stand for?

Tim Staub answers it stands for Nation Wide Permits.

Azfar Haque asks if this will harm any natural habitat by being there?

Tim Staub answers no, it is a drainage.

Michael Clinkscales asks if they have any problems meeting all the conditions.

Tim Staub answers they do not have any problems and they have no choice.

*Azfar Haque motion to approve Map Amendments. Roderick Jackson seconded the motion to approve. Voting was unanimous.*

James Shelby states that the next meeting we will vote for Chair and Vice Chairman as long as there is a quorum.



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**Other Business:**

**Adjournment:**

There being no further business, Michael Clinkscales motioned to adjourn the meeting. Azfar Haque seconded the motion. Voting was unanimous. The meeting adjourned at 6:23pm.