



city of powder springs

Rezoning Request Application Packet

Applicant's Public Notice Requirements

The Code requires public notice of your Rezoning request, Special Use and Variance requests. The Community Development Department will tell you when and where the Planning and Zoning Commission and the Mayor and Council meetings will be held.

Newspaper: The City will publish a legal notice in the newspaper regarding your application and announcing the time and place of the public hearing. At least 15 days before the Mayor and Council but no more than 45 days prior to the date of the public hearing.

Sign Posting, Public Hearing Notice & Affidavit

Sign Posting: The applicant shall be required to post and maintain signs supplied by the City on or near the right-of way of the nearest public street, so as to be visible from the street for at least 15 days and not more than 45 days immediately preceding the date for the governing body's public hearing on the rezoning or special use application. It is your responsibility to post the signs and to maintain the signs during the posting period. Failure to post and maintain the signs continuously may prohibit consideration of the application at any scheduled public hearing. In the event the signs are not posted continuously, the City, in its sole discretion, may require the reposting and re-advertising prior to any future public hearing, for which the applicant shall pay an additional re-advertising fee. The City may also in its sole discretion, continue, hold, approve, or dismiss the application. Any dismissal under the provisions of this paragraph shall be with prejudice unless specifically noted as being without prejudice by the City.

Public Hearing Notice: At least 15 days before the Planning & Zoning Commission's public hearing, you are to mail a notice to all persons owning property within 200 feet of the property that is the subject matter of the zoning change. The notice is to state the time, place and purpose of the hearings, and include a page size copy of the sketch plan submitted with the application.

Affidavit: Prior to the public hearing you must also submit an affidavit with a copy of the notice to the Community Development Director listing the property owners and certifying the date that the notices were mailed (form attached)

City Actions

The Community Development Department will date your application when it is received. The Community Development Department has five (5) working days in which to determine that your application is complete or to return it to you for additional information. The application will not be scheduled for public hearing until it is complete. The Planning Commission's public hearing will be held at the time advertised. At the public hearing, you will be allowed to speak first in order to present the application. Others in support of the application may then speak, followed by those in opposition to the application. You may then be allowed time for rebuttal if adequate time remains. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing. After the Planning Commission has made their recommendation, the Mayor and City Council will consider approval or denial of the application at their own public hearing. You or a representative thereof with authority to make binding commitments to the City with respect to any stipulations that may be offered in connection with such application shall attend the meetings, and make a presentation following the same procedure as the Planning Commission hearing. The final action taken by the Mayor and City Council will be indicated on the application form, along with any stipulations that they impose on the property if approved, and a copy will be given to you as official notice of their final action.

Contact Information

The Community Development Dept.

4488 Pineview Drive

Powder Springs GA 30127.

commdev@cityofpowdersprings.org

770-943-1666

Zoning Administrator

Shauna Wilson-Edwards

Special Projects Coordinator for Zoning

sedwards@cityofpowdersprings.org

770-943-1666



Rezoning Request Application Checklist

Applicant Information

Name Sanchez Marjorie Betzabe & Gudiel Berny

Phone

Mailing Address 3374 Nathan Dean Pkwy ,Rockmart,GA,30153

Email

Application Checklist

The following information will be required:

1. ☐ Application
2. ☐ Notice of Intent
3. ☐ Applicant's Written Analysis
4. ☐ Campaign Contribution Disclosure
5. ☐ Owner's Authorization, if applicable.
6. ☐ Legal Description and Survey Plat of the property
7. ☐ Application Fee (summary of fees attached)
8. ☐ Copy of the Deed that reflects the current owners name
9. ☐ Vicinity Map outlining the parcel/s in relation to the surrounding area
10. ☐ Site plan, plat or survey prepared by an architect, engineer. The following information **must** be included:
Specific use or uses proposed for the site. Acreage, bearing and distances, other dimensions, and location of the tract(s). Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area, height, for residential number of units, Square footage of heated floor area. Detention/retention areas, and utility easements. Location of dumpsters. Public or private street(s) - right of way and roadway widths, approximate grades Location and size of parking area with proposed ingress and egress. Specific types and dimensions of protective measures, such as buffers. Landscaping. Wetlands, stream buffers, and 100 year floodplain.
11. ☐ Sketch Plan/ Architectural Rendering, if applicable
12. ☐ Traffic Study required for development with 500,000 sf of nonresidential floor area or 350 dwelling units or more.
- ☐ List additional attachments:

Note Carefully

If your application qualifies as a "Development of Regional Impact" (see Article 13) then you must follow additional procedures BEFORE your application can be considered. The Community Development Department will assist you with the DRI process, which is mandated by State and GRTA requirements.

Indicate the current zoning district of the property, and the zoning district you are requesting. File a separate application for each Rezoning request naming a different zoning district. A Special Use request, Variance request can be filed concurrently with a Rezoning request on the same property by separate application.



Rezoning Request Application Form

Applicant Information

Name	Sanchez Marjorie Betzabe & Gudiel Berny	Phone	[REDACTED]
Mailing Address	3374 Nathan Dean Pkwy ,Rockmart,GA,30153	Email	[REDACTED]

Rezoning Request Property Information

Address	C H James Pkwy	Parcel ID / Lot#	067100070 / 19067200C	Acreage	2.74
Present Zoning	R-30 (Cobb County)	Proposed Zoning	CRC (Community Retail Commercial)		
Source of Water Supply		Source of Sewage Disposal			
Proposed Use Peak Hour Trips Generated		Source			

Additional Information, If Applicable

Elementary School and School's Capacity	Middle School and School's Capacity
High School and School's Capacity	

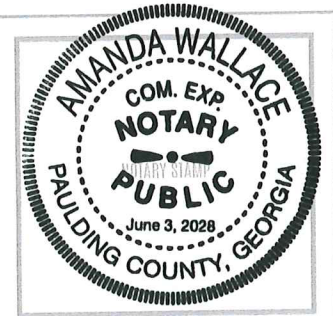
Notary Attestation

Executed in Hiram (City), GA (State).

[Signature] Marjorie Sanchez Berny Sanchez 06-03-2025
Signature of Applicant Printed Name Date

Subscribed and sworn before me this 3 day of June, 2025

[Signature] Amanda Wallace June 3, 2028
Signature of Notary Public Name of Notary Public My Commission Expires



For Official Use Only

PZ #		City Council Hearing	
Planning Commission Hearing		Reason for Withdrawal	
Withdrawal Date			



Rezoning Request

Notice of Intent

Applicant Information

Name Sanchez Marjorie Betzabe & Gudiel Berny

Phone

Mailing Address 3374 Nathan Dean Pkwy ,Rockmart,GA,30153

Email

Notice of Intent

PART I. Please indicate the purpose of this application :

TO FACILITATE THE DEVELOPMENT OF A NEW COMMERCIAL/RETAIL DEVELOPMENT

PART II. Please list all requested variances:

NONE ANTICIPATED AT THIS TIME

Part III. Existing use of subject property:

VACANT

Part IV. Proposed use of subject property:

COMMERCIAL/RETAIL

Part V. Other Pertinent Information (List or attach additional information if needed):

SEE LETTER OF INTENT

Applicant Signature


Signature of Applicant

Sanchez Marjorie Betzabe & Gudiel Berny

Printed Name

06.03.2025
Date



Rezoning Request

Applicant's Written Analysis

Applicant Information

Name Sanchez Marjorie Betzabe & Gudiel Berny

Phone

Mailing Address 3374 Nathan Dean Pkwy ,Rockmart,GA,30153

Email

Written Analysis

In details please address these Rezoning Criteria:

a. Whether the proposed zoning district and uses within that district are compatible with the purpose and intent of the comprehensive plan. The future development map and the future land use plan map of the city's comprehensive plan shall be used in decision making relative to amendments to the official zoning map.

SEE ATTACHMENT FOR RESPONSES

b. Whether the proposed zoning district and uses permitted within that district are suitable in view of the zoning and development of adjacent and nearby property.

c. Whether the existing use or usability of adjacent or nearby property will be adversely affected by one or more uses permitted in the requested zoning district.

d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned;

e. Whether public facilities such as roads, schools, water and sewer utilities, and police and fire protection will be adequate to serve the proposed zoning district and uses permitted.

f. Whether the proposed zoning district and uses permitted within that zoning district are supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties.

g. Whether the proposed zoning district and uses permitted within that zoning district reflect a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.

Applicant Signature


Signature of Applicant

Sanchez Marjorie Betzabe & Gudiel Berny
Printed Name

06-08-2025
Date



Rezoning Request Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name Sanchez Marjorie Betzabe & Gudiel Berny

Applicant's Address 3374 Nathan Dean Pkwy ,Rockmart,GA,30153

Applicant's Attorney

Attorney's Address

Campaign Contribution Disclosure

The following information is provided in accordance with the Georgia Conflict of Interest in Zoning Actions Act, O.C.G.A. 36-67A-1 et seq.

The property that is the subject of the attached application is owned by:

☒ Individual(s) ☐ Corporation ☐ Partnership ☐ Limited Partnership ☐ Joint Venture

All persons, corporations, partners, limited partners, or joint ventures party to ownership of the property that is the subject of the attached application are listed below:

Sanchez Marjorie Betzabe & Gudiel Berny (19067100070, 19067200070)

_____	_____
_____	_____
_____	_____

APPLICANT: Within the two years preceding the date of the attached application, the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
_____	_____	_____

ATTORNEY: Within the two years preceding the date of the attached application, the attorney representing the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
_____	_____	_____



Rezoning Request Owner's Authorization Form

Owner's Authorization

Applicant Name	Sanchez Marjorie Betzabe & Gudiel Berny	Applicant's Address	3374 Nathan Dean Pkwy ,Rockmart,GA,30153
Property Address	C H James Pkwy Powder Springs, GA	Property PIN	19067100070 / 19067200070

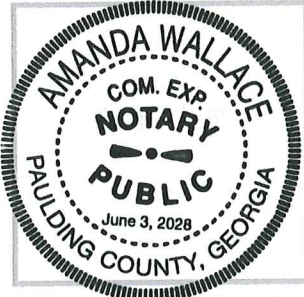
This is to certify that I am ☒ or We are ☐ or I am ☐ the Authorized Representative of a Corporation that is the owner of a majority interest in the subject property of the attached application. By execution of this form, this is to authorize the person names as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

Check all that apply:

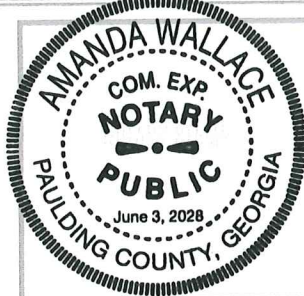
Rezoning ☒	Special Use ☐	Hardship Variance ☐
Special Exception ☐	Flood Protection Variance ☐	Appeal of Administrative Decision ☐

Signature of Property Owner(s)

Signature of Owner	Marjorie Sanchez Berny Sanchez	Date	06-03-2025
State of <u>GA</u> , County of <u>Paulding</u>			
This instrument was acknowledged before me this <u>3</u> day of <u>June</u> month.			
<u>Marjorie Sanchez + Berny Sanchez</u>			
20 <u>25th</u> , by <u>Amanda</u> name of signer. Identification Presented: <u>DL</u>			
Signature of Notary Public	Amanda Wallace	Name of Notary Public	My Commission Expires June 3, 2028



Signature of Owner	Marjorie Sanchez Berny Sanchez	Date	06-03-2025
State of <u>GA</u> , County of <u>Paulding</u>			
This instrument was acknowledged before me this <u>3</u> day of <u>June</u> month.			
<u>Marjorie Sanchez + Berny Sanchez</u>			
20 <u>25th</u> , by <u>Marjorie Sanchez + Berny Sanchez</u> Identification Presented: <u>DL</u>			
Signature of Notary Public	Amanda Wallace	Name of Notary Public	My Commission Expires June 3, 2028





Affidavit of Public Notification

Public Notification Requirements

Per Article 13 and 14 of the City of [Powder Springs Unified Development Code](#), I certify that I have met the advertising requirements of Article 13 and Article 14 for a ☐Special Use, ☐Variance or ☒Rezoning application for subject property located at C H James Pkwy

Notices were mailed to all persons owning property located in whole or in part within 200 feet of any portion of the property that is the subject of the rezoning, special use or variance application. The written notice was mailed to the property owners as such names and addresses appear on the County's current ad valorem tax records on _____. Said notices were mailed at least 15 days but no more than 45 days prior to the Mayor and Council first public hearing date.

Signs were placed on the subject property advertising said hearing on _____. One sign was placed at each road frontage at least 15 days prior to the Mayor and Council first hearing date.

Please attach the following to affidavit: notices, list of addresses, picture of sign posted on property and any receipt or documentation that was provided at the post office.

Please sign affidavit after letters have been mailed out to neighboring lot owners within 200 feet of the subject site and sign/s have been posted on subject site.

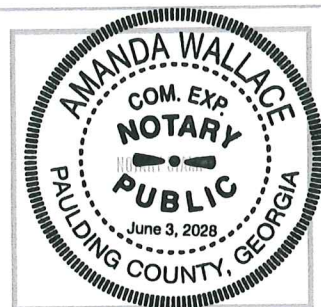
Notary Attestation

Executed in Hiram (City), GA (State).

[Signature] Benny Sanchez 06-03-2025
Signature of Applicant Printed Name Date

Subscribed and sworn before me this 3 day of June, 2025

[Signature] Amanda Wallace June 3, 2028
Signature of Notary Public Name of Notary Public My Commission Expires





Fee Schedule

FEES – Updated 11/5/2018. Please verify cost with staff

Variance, residential	\$ 250.00
Variance, commercial	\$ 450.00
Special Use	\$ 250.00
Rezoning Application, single family, 0-5 acres	\$ 250.00
Rezoning Application, single family, 6-10 acres	\$ 700.00
Rezoning Application, single family, 11-20 acres	\$ 1,000.00
Rezoning Application, single family, 21-100 acres	\$ 1,500.00
Rezoning Application, single family, ≥ 101 acres	\$ 1,500.00 + \$30/acre
Rezoning Application, undeveloped med/high density residential, 0-5 acres	\$ 700.00
Zoning - Rezoning Application, undeveloped med/high density residential, 6-10 acres	\$ 1,200.00
Zoning - Rezoning Application, undeveloped med/high density residential, 11-20 acres	\$ 1,500.00
Zoning - Rezoning Application, undeveloped med/high density residential, 21-100 acres	\$ 2,000.00
Rezoning Application, undeveloped med/high density residential, ≥ 101 acres	\$ 2,000.00 + \$40 /acre
Rezoning Application, undeveloped non-residential, 0-5 acre	\$ 900.00
Rezoning Application, undeveloped non-residential, 6-10 acres	\$ 1,500.00
Rezoning Application, undeveloped non-residential, 11-20 acres	\$ 1,800.00
Rezoning Application, undeveloped non-residential, 21-100 acres	\$ 2,200.00
Rezoning Application, undeveloped non-residential, ≥ 101 acres	\$ 2,200.00 + \$50 /acre
Zoning - Rezoning Application, developed med/high density residential, 0-20,000 SF	\$ 700.00
Rezoning Application, developed med/high density residential, 20,001 - 50,000 SF	\$ 1,200.00
Rezoning Application, developed med/high density residential, 50,001 - 100,000 SF	\$ 1,500.00
Rezoning Application, developed med/high density residential, 100,001 - 500,000 SF	\$ 2,000.00
Rezoning Application, developed med/high density residential, $\geq 500,001$ SF	\$ 2,000.00 \$90 /100,000 SF
Rezoning Application, developed non-residential, 0-20,000 SF	\$ 900.00
Rezoning Application, developed non-residential, 20,001-50,000 SF	\$ 1,500.00
Rezoning Application, developed non-residential, 50,001-100,000 SF	\$ 1,800.00
Rezoning Application, developed non-residential, 100,001-500,000 SF	\$ 2,200.00
Rezoning Application, developed non-residential, $\geq 500,001$ SF	\$ 2,200.00 + \$115 /100,000 SF
Public Hearing signs	\$ 25.00
Public Hearing signs - Deposit	\$ 10.00



SITE DATA POB A	
TOTAL SITE AREA	±67.8 ACRES
<u>ZONING</u>	
EXISTING ZONING	R-30
PROPOSED ZONING	CRC (COMMUNITY RETAIL COMMERCIAL DISTRICT)
ZONING JURISDICTION	COBB COUNTY ANNEXATION INTO POWDER SPRINGS
<u>SETBACK/BUFFER REQUIREMENTS</u>	
FRONT YARD	40 FEET
SIDE YARD	15 FEET
REAR YARD	40 FEET
FRONTAGE LANDSCAPE STRIP OFF R/W	10 FEET
<u>DEVELOPMENT STANDARDS</u>	
MAXIMUM HEIGHT OF BUILDINGS	50 FEET/ 4 STORIES
TOTAL COMMERCIAL AREA PROVIDED	30,900 SF
TOTAL COMMERCIAL FAR PROVIDED	.11 FAR (30,900 SF/ 295,336 SF)
MAX. FAR ALLOWED	.50 FAR
<u>PARKING REQUIREMENTS</u>	
MIN. COMMERCIAL PARKING REQUIRED	1/275 SF X 30,900 SF= 112 SPACES
MAX. COMMERCIAL PARKING REQUIRED	1/200 SF X 30,900 SF= 155 SPACES
TOTAL COMMERCIAL PARKING PROVIDED	118 SPACES

350 RESEARCH COURT STE 200
PEACHTREE CORNERS, GA 30092

MUNICIPALITY PROJECT #

[illegible]

Z1

SHEET

GEORGIA811
www.Georgia811.com

Know what's below.
Call before you dig.

Record and Return to:
Lueder, Larkin & Hunter, LLC
12345 Veterans Memorial Highway
Douglasville, GA 30134
File No.: GA-DG-23-0474-CAS

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COBB
APN/Parcel ID: 19067200070

THIS INDENTURE, made this 26th day of June, 2023, between

Jay Peter Meissner

as party or parties of the first part, hereinafter called Grantor, and

Marjorie Betzabe Sanchez and Berny Enrique Sanchez Gudiel
As Joint Tenants with Rights of Survivorship and Not as Tenants in Common

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H: That Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property, to wit:

All that tract or parcel of land which is located in Land Lots 671 and 672 of the 19th District, 2nd Section, Cobb County, Georgia, being Parcel A as shown on that certain survey for Leslie Shipp dated 12/5/1979 recorded on December 10, 1979 at Plat Book 74, Page 163, Cobb County, Georgia Records, which recorded plat is incorporated herein by reference and made a part of this description.

Subject to all easements and restrictions of record.

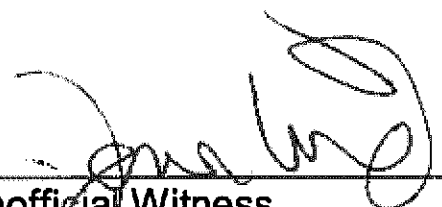
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property against the claims of all persons owning, holding, or claiming by, through and under the said Grantor.

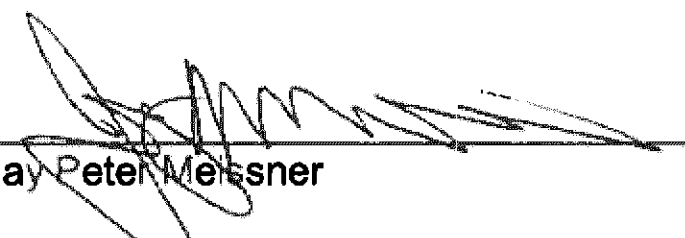
IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed and delivered
in the presence of:

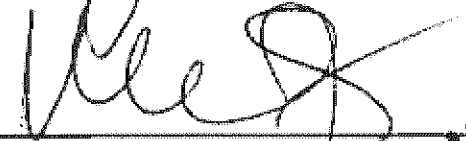
GRANTOR:



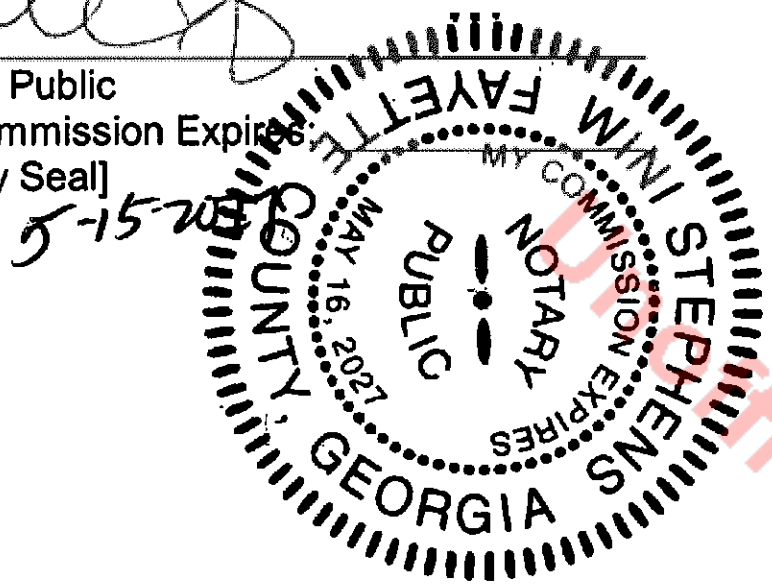
Unofficial Witness



Jay Peter Messner (SEAL)



Notary Public
My Commission Expires:
[Notary Seal]



Official Copy

After Recording Return To:
McMichael & Gray, P.C.
3475 Dallas Highway, Bldg. 300, Ste. 320
Marietta, GA 30064

Order No.: WSC-230036-PUR

Property Appraiser's Parcel I.D. Number:
19067100070

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made this 10th day of February, 2023, between

W. Edward Gill

as party or parties of the first part, hereinafter called Grantor, and

Marjorie Betzabe Sanchez and Berny Enrique Sanchez Gudiel
as Joint Tenants with Rights of Survivorship and not as Tenants in Common

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lots 671 and 672 of the 19th District, 2nd Section, 1.83 acres, Cobb County, Georgia and being more particularly described as follows: Beginning at a point on the Southerly side of State Highway No. 6, 799.6 feet West of the Right of Way of the Seaboard Railroad; Running thence South 38 degrees 32 minutes 46 seconds West 247.70 feet; Running thence North 76 degrees 40 minutes West a distance of 158.73 feet; Running thence North 9 degrees 18 minutes West a distance of 355.7 feet to the Southerly side of State Highway No. 6; Running thence Southeasterly on the Southerly side of State Highway No. 6 and following the curvature thereof a distance of 415.07 feet to the point of beginning.

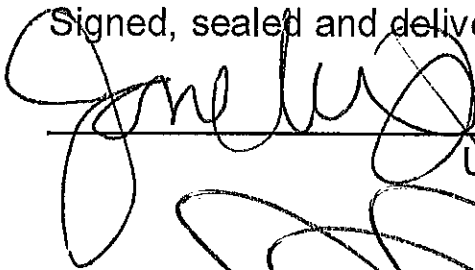
SUBJECT to all zoning ordinances, easements and restrictions of record affecting said premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

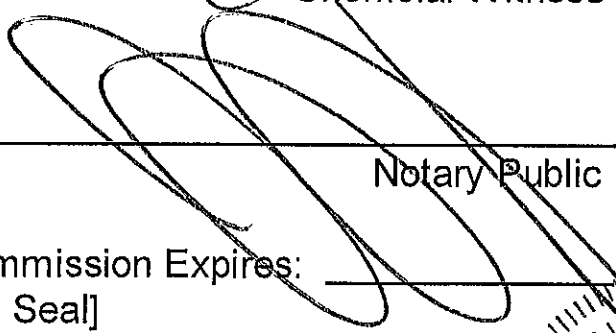
Signed, sealed and delivered in the presence of:



Unofficial Witness

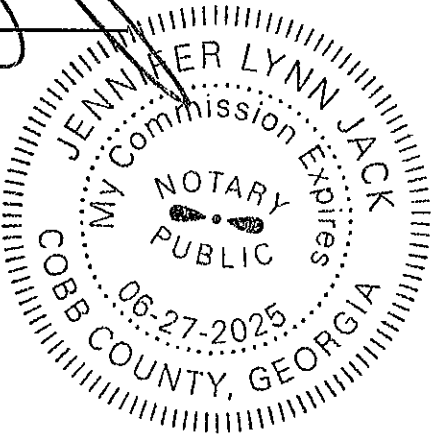


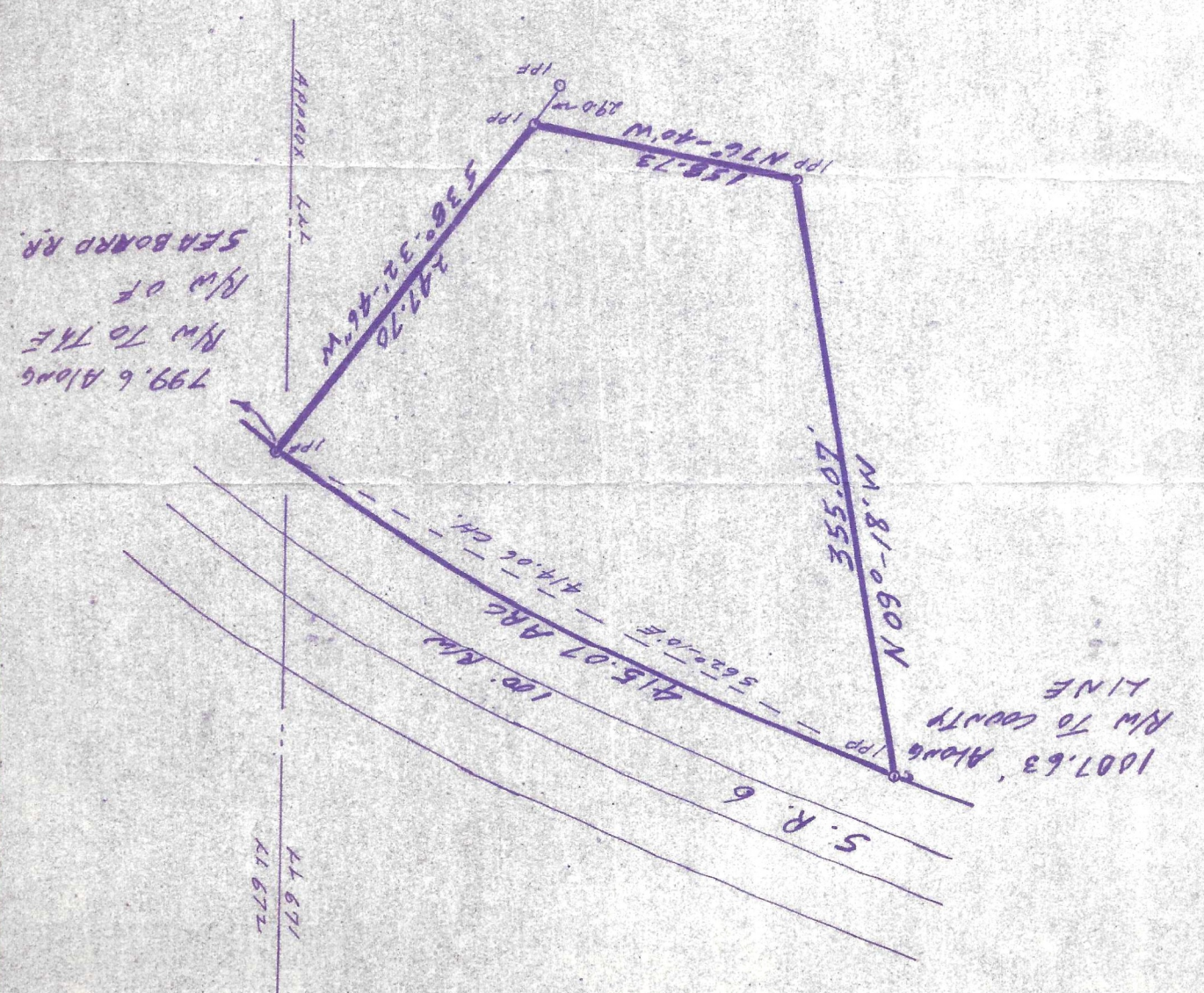
W. Edward Gill (Seal)



Notary Public

My Commission Expires: _____
[Notary Seal]





I HAVE THIS DATE EXAMINED THE ORIGINAL
 PIA (FLOOD HAZARD) MAPS AND DETERMINED
 THAT THIS PROPERTY IS NOT IN AN AREA
 HAVING SPECIAL FLOOD HAZARDS

SURVEY FOR
 W. EDWARD GILL

REVISIONS	AREA 1.83 ACRES
LAND LOTS - 671 & 672	
DISTRICT - 19 SECTION 2	
COUNTY - COB8	
STATE - GEORGIA	
DATE 12-18-79 SCALE 1" = 100'	



IN MY OPINION THIS PLAT IS A
 CORRECT REPRESENTATION OF THE
 LAND PLATTED AND HAS BEEN
 PREPARED IN CONFORMITY WITH
 THE MINIMUM STANDARDS AND
 REQUIREMENTS BY LAW.
Richard E. Smith

ALL SOUTH
 ENGINEERING AND
 SURVEYING CO., INC.
 MABLETON, GEORGIA
 TELEPHONE 944-8845