



Rezoning Request Application Checklist

Applicant Information

Name SA Land Group: Attn Adam Baker

Phone 678-662-3398

Mailing Address 475 East Main Street Suite #132 Cartersville, GA 30121

Email abaker@evergreendres.com

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.



**city of
powder springs**

Rezoning Request

Application Form

Applicant Information

Name SA Land Group: Attn Adam Baker	Phone 678-662-3398
Mailing Address 475 East Main Street Suite #132 Cartersville, GA 30121	Email abaker@evergreendres.com

Rezoning Request Property Information


Address 3149 New MacLand Rd	Parcel ID / Lot# 19068200030	Acreage 1.22
Present Zoning R-20	Proposed Zoning PUD-R	
Source of Water Supply Cobb County	Source of Sewage Disposal Cobb County	
Proposed Use Peak Hour Trips Generated	Source Traffic Engineer	

Additional Information, If Applicable

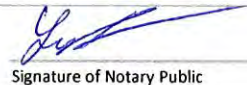
Elementary School and School's Capacity Varner	Middle School and School's Capacity Tapp
High School and School's Capacity McEachern	


Notary Attestation

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

	<u>Adam Baker</u>	<u>9/23/21</u>
Signature of Applicant	Printed Name	Date

Subscribed and sworn before me this 23 day of September, 2021.

	<u>Luke Freiler</u>	<u>July 28, 2025</u>
Signature of Notary Public	Name of Notary Public	My Commission Expires



For Official Use Only

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



**city of
powder springs**
Rezoning Request
Notice of Intent

Applicant Information

Name SA Land Group: Attn Adam Baker	Phone 678-662-3398
Mailing Address 475 East Main Street Suite #132 Cartersville, GA 30121	Email abaker@evergreendres.com

Notice of Intent

PART I. Please indicate the purpose of this application :

The purpose of this application is to request rezoning of the property located at 3149 New MacLand Rd from a current zoning of R-20, to the proposed zoning of PUD-R, a residential townhome community.

PART II. Please list all requested variances:

Requesting the allowance of hammerheads in place of cul-de-sacs.
Possible variance needed for a small portion of right of way in the landscape buffer.

Part III. Existing use of subject property:

The existing use of the property is a single family home and raw land.


Part IV. Proposed use of subject property:

The proposed use of the property is a new townhome community.

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

N/A

Applicant Signature

	SA Land Group: Attn Adam Baker	9/23/21
Signature of Applicant	Printed Name	Date



Rezoning Request

Applicant's Written Analysis

Applicant Information

Name SA Land Group: Attn Adam Baker

Phone 678-662-3398

Mailing Address 475 East Main Street Suite #132 Cartersville, GA 30121

Email abaker@evergreendres.com

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.

Yes

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.

Yes, townhomes are a good transition between commercial and single family detached.

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.

No

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

It can be used as it is currently zoned, however, we believe the proposed zoning is a better use for the neighboring properties and the community as a whole.

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.

Yes

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.

The proposed rezoning is consistent with the comprehensive plan.

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.

We believe the proposed zoning reflects a reasonable balance as we transition between commercial to the south and single family residential to the north.

Applicant Signature

Signature of Applicant

SA Land Group: Attn Adam Baker
Printed Name

Date

9/23/21



Rezoning Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name	SA Land Group: Attn Adam Baker	Applicant's Address	475 East Main Street Suite #132 Cartersville, GA 30121
Applicant's Attorney	NA	Attorney's Address	NA

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:

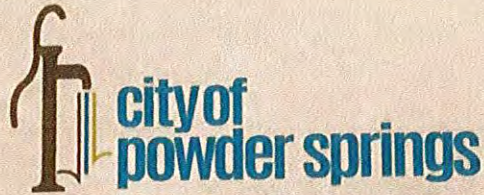
Evelyn Brooks McKinney

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
_____	\$0	_____

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
_____	\$0	_____



Rezoning Request Owner's Authorization Form

Owner's Authorization

Applicant Name SA Land Group: Attn Adam Baker **Applicant's Address** 475 East Main Street Suite #132 Cartersville, GA 30121

Property Address 3149 New MacLand Rd. Powder Springs, GA **Property PIN** 19068200030

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 <input checked="" type="checkbox"/> | Special Use <input type="checkbox"/> | Hardship Variance <input type="checkbox"/> |
| Special Exception <input type="checkbox"/> | Flood Protection Variance <input type="checkbox"/> | Appeal of Administrative Decision <input type="checkbox"/> |

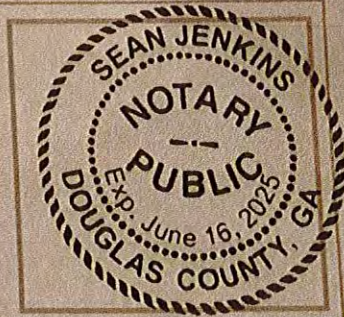
Signature of Property Owner(s)

June Brooks Alder Signature of Owner June Brooks Alder Printed Name 09/21/2021 Date

State of GA, County of Cobb.
This instrument was acknowledged before me this 21 day of Sept month.

2021, by Sean Jenkins name of signer, Identification Presented: Drivers License

[Signature] Signature of Notary Public Sean Jenkins Name of Notary Public 6/16/25 My Commission Expires



Signature of Owner Printed Name Date

State of _____, County of _____.
This instrument was acknowledged before me this _____ day of _____ month.

20____, by _____ name of signer, Identification Presented: _____

Signature of Notary Public Name of Notary Public My Commission Expires





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 3149 New MacLand Rd

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 10/6/21. 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.

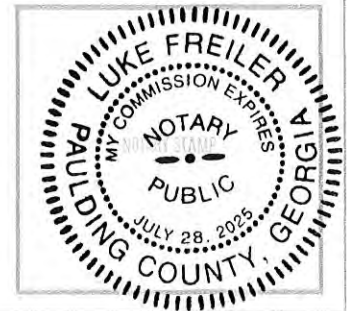
Notary Attestation

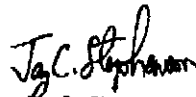
Executed in Taylorville (City), GA (State).

[Signature] Alan Baker 9/23/21
Signature of Applicant Printed Name Date

Subscribed and sworn before me this 23 day of 9 2021.

[Signature] Luke Freiler July 28, 2025
Signature of Notary Public Name of Notary Public My Commission Expires





Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

AFTER RECORDING PLEASE RETURN TO:

Hutsey, Oliver & Mahar
P. O. Box 1457
Gainesville, GA 30503
ATTENTION: Samuel L. Oliver

12. WARRANTY DEED

GEORGIA, COBB COUNTY:

This deed made by and between Brinkley D. Smith and Glanda E. Smith, Grantors, and Money Management Consultants, LLC, Grantee,

WITNESSETH, that the said Grantors, for and in consideration of Ten (\$10.00) Dollars and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the Grantee,

TRACT ONE:

All that tract or parcel of land lying in and being a portion of Land Lot 725, 19th District, 2nd Section, Cobb County, Georgia, being more fully and particularly described as follows:

To find the TRUE POINT OF BEGINNING begin at the intersection of the East right of way line of S.R. 176 (New Macland Road) (80 foot right of way) with the South right of way line of Weston Drive (50 foot right of way); thence Southerly along the said right of way line of S.R. 176 (New Macland Road) a distance of 1,147.49 feet to a corner on said right of way line and the TRUE POINT OF BEGINNING; thence North 86 degrees 25 minutes 33 seconds East a distance of 302.24 feet to a corner; thence South 24 degrees 40 minutes 07 seconds East a distance of 252.67 feet to a corner; thence South 82 degrees 17 minutes 07 seconds East a distance of 100.16 feet to a corner; thence North 55 degrees 05 minutes 06 seconds East a distance of 162.93 feet to a corner; thence South 01 degrees 36 minutes 50 seconds East a distance of 180.90 feet to a corner; thence South 69 degrees 24 minutes 40 seconds West a distance of 658.20 feet to a corner at the East right of way line of S.R. 176 (New Macland Road) thence North 03 degrees 02 minutes 41 seconds West along said right of way line a distance of 129.67 feet to a corner; thence North 86 degrees 36 minutes 59 seconds East a distance of 184.70 feet to a corner; thence North 03 degrees 24 minutes 20 seconds West a distance of 150.07 feet to a corner; thence South 86 degrees 35 minutes 38 seconds West a distance of 183.75 feet to a corner at the East right of

way line of S.R. 176 (New Macland Road); thence North 03 degrees 02 minutes 41 seconds West along said right of way line a distance of 264.35 feet to a corner and the TRUE POINT OF BEGINNING. Said tract contains 4.36 acres, and is delineated on a plat of survey prepared by George W. Crusselle, L.S. #1373, for BRINKLEY D. SMITH AND GLENDA E. SMITH, dated March 17, 1995. Said plat, by reference is incorporated herein.

TRACT TWO:

All that tract or parcel of land lying and being in Land lot 725 of the 19th District, 2nd Section of Cobb County, Georgia, as shown upon a plat of survey made by Robert T. Weaver, Surveyor, dated May 16, 1964, which is recorded in Plat Book 28, Page 67, in the Office of the Clerk, Cobb Superior Court, more particularly described as follows:

BEGINNING at an iron pin on the east side of Macland Road (State Highway 176) 900 feet north of the centerline of Macedonia Road, as measured along the east side of Macland Road; from this iron pin running thence north 4 degrees 00 minutes west along the east side of the Macland Road right-of-way for a distance of 150 feet to an iron pin; thence running northerly 86 degrees 00 minutes 00 minutes east for a distance of 200 feet to an iron pin; thence running southerly 4 degrees 00 minutes east for a distance of 150 feet to an iron pin; thence running southerly 86 degrees 00 minutes west for a distance of 200 feet to the iron pin located on the east side of the right-of-way of Macland Road and the point of beginning.

TO HAVE AND TO HOLD the said premises, together with all rights and appurtenances unto the said Grantee, forever in **FEE SIMPLE**, and the Grantors **WARRANT** the title to the same against the lawful claims of all persons whomsoever.

Whenever there is a reference herein to the Grantor or the Grantee, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and affixed their seals this 13 day of March, 2008.

Signed, sealed and delivered this
13 day of March, 2008.

Brinkley D. Smith (SEAL)
Brinkley D. Smith

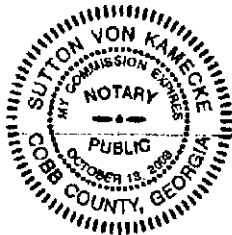
Witness

Sutton Von Kamecke
Notary Public

Glenda E. Smith (SEAL)
Glenda E. Smith

My Commission Expires: 10-13-08

SI.G:\d9\75681\W105173



March 16, 1995. Said plat, by reference, is incorporated herein.

Tract 2

All that tract or parcel of land lying in and being a portion of Land Lot 725, 19th District, 2nd section, Cobb County, Georgia, being more fully and particularly described as follows:

To find the TRUE POINT OF BEGINNING begin at the intersection of the East right of way line of S.R. 176 (New Macland Road) (80-foot right of way) with the South right of way line of Weston Drive (50-foot right of way); thence Southerly along the said right of way line of S.R. 176 (New Macland Road) a distance of 1,147.49 feet to a corner on said right of way line and the TRUE POINT OF BEGINNING; thence North 86 degrees, 25 minutes, 33 seconds East a distance of 302.24 feet to a corner; thence South 24 degrees, 40 minutes, 07 seconds East a distance of 252.67 feet to a corner; thence South 82 degrees, 17 minutes, 07 seconds East a distance of 100.16 feet to a corner; thence North 55 degrees, 03 minutes, 06 seconds East a distance of 162.93 feet to a corner; thence South 01 degrees, 36 minutes, 50 seconds East a distance of 180.90 feet to a corner; thence South 69 degrees, 24 minutes, 40 seconds West a distance of 658.20 feet to a corner at the East right of way line of S.R. 176 (New Macland Road); thence North 03 degrees, 02 minutes, 41 seconds West along said right of way line a distance of 129.67 feet to a corner; thence North 86 degrees, 36 minutes, 59 seconds East a distance of 184.70 feet to a corner; thence North 03 degrees, 24 minutes, 20 seconds West a distance of 150.07 feet to a corner; thence South 86 degrees, 35 minutes, 38 seconds West a distance of 183.75 feet to a corner at the East right of way line of S.R. 176 (New Macland Road); thence North 03 degrees, 02 minutes, 41 seconds West along said right of way line a distance of 264.35 feet to a corner and the TRUE POINT OF BEGINNING. Said tract contains 4.36 acres, and is delineated on a plat of survey prepared by George W. Crusselle, L.S. #1373, for BRINKLEY D. SMITH and GLENDA E. SMITH, dated March 17, 1995. Said plat, by reference, is incorporated herein.

Tract 3

All that tract or parcel of land lying in and being portions of Land Lots 682 and 725, 19th District, 2nd Section, Cobb County, Georgia, being more fully and particularly described as follows:

To find the TRUE POINT OF BEGINNING begin at the intersection of the East right of way line of S.R. 176 (New Macland Road) (80-foot right of way) with the South right of way line of Weston Drive (50-foot right of way); thence Southerly along the said right of way line of S.R. 176 (New Macland Road) a distance of 838.51 feet to a corner on said right of way line and the TRUE POINT OF BEGINNING; thence South 59 degrees, 13 minutes, 43 seconds East a distance of 150.89 feet to a corner; thence South 40 degrees, 29 minutes, 37 seconds East a distance of 279.78 feet to a corner; thence South 86 degrees, 25 minutes, 33 seconds West a distance of 302.24 feet to a corner at the East right of way line of S.R. 176 (New Macland Road); thence Northwesterly along said right of way line and along a curve to the right, an arc distance of 308.98 feet, said arc being subtended by a chord bearing of North 01 degrees, 47 minutes, 45 seconds West, with a chord length of 308.96 feet, to a corner on said right of way line and the TRUE POINT OF BEGINNING. Said tract contains 1.23 acres, and is delineated on a plat of survey prepared by George W. Crusselle, L.S. #1373, for EVELYN BROOKS, dated March 17, 1995. Said plat, by reference, is incorporated herein.

WHEREAS, the undersigned duly qualified as Executrix of the estate of said GLENN G. BROOKS, JR. and is now administering the

BK8982PG0372



Probate Court of Cobb County

IN THE PROBATE COURT OF COBB COUNTY
STATE OF GEORGIA

2021 JUL 16 PM 4:21

IN RE: ESTATE OF
EVELYN BROOKS
DECEASED

)
)
)
)

ESTATE NO. 18-1813

LETTERS OF ADMINISTRATION

[Bond waived and/or certain powers granted]

At a regular term of probate court, this Court granted an order allowing JUNE RACHAEL BROOKS ALDER to qualify as administrator(s) of the above-named decedent, who was domiciled in this county at the time of his or her death or was domiciled in another state but owned property in this county at the time of his or her death, and that upon so doing, letters of administration be issued to such personal representative(s).

THEREFORE, the said administrator(s), having taken the oath of office and complied with all necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all powers of personal representative(s), according to Georgia law. In addition this Court:

[Initial all that apply]

- TCR (a) **POWERS GRANTED:** Grants to the administrator(s) all of the powers contained in O.C.G.A. § 53-12-261, except the administrator(s) shall not be authorized to bind the estate by any warranty in any conveyance or contract in violation of O.C.G.A. § 53-8-14 (a).
- _____ (b) **REPORTS WAIVED:** Grants to the administrator(s) the specific power to serve without making and filing inventory, and without filing any annual or other returns or reports to any court.
- _____ (c) **BOND WAIVED:** Waives the specific requirement to post bond.
- _____ (d) **STATEMENTS WAIVED:** Grants to the administrator(s) the specific power to serve without furnishing to the heirs statements of receipts and disbursements.

IN TESTIMONY WHEREOF, I have hereunto affixed my signature as judge of the probate court of said county and the seal of this office this 16th day of JULY, 2021.

Tara C. Riddle
Tara C. Riddle, Associate Judge
Cobb County Probate Court

The following must be signed if the judge does not sign the original of this document:

Issued by: Leanne Wilkins/Clerk
Leanne Wilkins

[Seal]



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