

**Staff Report**

**Date:** May 1, 2026

**To:** Planning & Zoning Commission

**From:** JoAnna Robinson

**Subject:** Variance to reduce 100' buffer to 30' buffer along Sanders and Flint Hill Road at 3989 Flint Hill Road.

Variance to allow parking of trucks on a millings surface.

Variance to remove the requirement of a decel lane into the property.

**PZ: PZ26-023**

**Location:**

PIN: 19091100060. LL911 of the 19<sup>th</sup> District, 2nd Section, Cobb County Approximately 9.3 acres. Current zoning is Light Industrial (LI).

***Background:***

The Applicant, Mark Campbell, representing Harper Southeastern Properties Inc, is requesting three Variances. A Variance to reduce the 100' buffer along Sanders and Flint Hill Road. A Variance to allow parking of trucks on a millings surface. A Variance to remove the requirement of a decel lane into the property.

This property was annexed into the City of Powder Springs via GA General Assembly **HB 1500**. Then, Serious Tree Services, LLC, applied to Cobb County for a Special Land Use Permit and Rezoning in 2021. The subject property was then rezoned by the Board of Commissioners on December 21, 2021 to Neighborhood Retail Commercial (NRC). Finally, the property was rezoned from NRC to Light Industry (LI) (**PZ24-017**).

As a note: There is a unnamed tributary of Noses Creek that cuts across about 1/3 at the northern end of the subject property.

Property zoning in the general vicinity:

N – Unincorporated Cobb County. General Commercial (GC). Future Land Use (FLU) of Industrial Compatible (IC).

E – City of Mableton. General Commercial (GC). FLU of Low Density Residential (LDR)

S – Split zoning of Heavy Industrial (HI) AND LI.

W- LI

The land was rezoned from NRC to LI (**PZZ4-017**) on November 4, 2024. The following stipulations were:

1. The request to rezone from NRC (county) to LI (city) is approved.
2. Applicant's wood recycling operations shall be confined to the western parcel (3969 Flint Hill Road, PIN: 19091100020) and all tree chipping, grinding and similar processing equipment may only be located and operated on such portion of that parcel as is located on the northwest side of the existing tributary running through the property. The approximately location for locating said equipment is designated on Applicant's Site Plan. Within that limited area, Applicant shall be permitted to process and recycle wood materials, including stumps, trees, limbs and other vegetative debris. No recycling or processing of concrete or asphalt shall be permitted.
3. The hours of operation of the recycling facility shall be limited to between the hours from 7:00 am to 7:00 pm; provided, however, the wood chipping, grinding and other wood processing equipment may only be operated between the hours of 10:00am and 5:00 pm.
4. Applicant agrees to install and maintain silt fencing between any tree processing areas and protected stream bank buffer areas and conservation easement areas on the Property as depicted on Applicant's Site Plan to prevent intrusion into or damage to the buffer areas.
5. Applicant shall maintain a 100-foot undisturbed buffer along the frontage of the property on Flint Hill Road directly across from the residentially zoned property located at 4002 Flint Hill Road. This 100-foot buffer shall remain in place until such time as said R-20 property is rezoned to a classification other than a single-family residential classification.
6. Applicant shall maintain a 100-foot undisturbed buffer along the frontage of the property on Sanders Road directly across from each of the commercially zoned but residentially used properties located at 3921, 3951 and 3981 Sanders Road. This 100-

foot buffer shall remain in place as to each of said properties until residential use of said property is curtailed.

7. Applicant shall install and maintain a misting device or similar equipment on the wood processing equipment to curtail dust.

8. Applicant shall take reasonable steps to discourage tractor trailer trucks from traveling on Sanders Road. In addition to the posted prohibitions already in place prohibiting such truck traffic on Sanders Road, Applicant shall post signs at the egress points from its recycling center prohibiting large trucks from making left turns out of the facility and heading east toward Sanders Road. Said exit points shall further be designed with a pork chop or other physical obstruction to discourage such turning movements.

9. Applicant shall comply with all Department of Transportation posted Roadway Weight Limits.

10. Applicant shall comply with all Cobb County FMO comments.

11. Applicant shall comply with all Department of Transportation posted Roadway Weight Limits.

***Request:***

The applicant is requesting three variances. One, the reduction of 100' buffer to a 30' buffer utilizing a landscaped buffer and wooden privacy fence. Two, to allow parking of trucks on a millings surface. Millings will be compacted down to create a pervious hard surface. Three, to remove the requirement of a decel lane into the property.

*Figure 1 – Zoning Map*

*Figure 2 – Overhead view of surrounding properties*

*Figure 3 – Future Land Use Map (FLUM)*

*Figure 4 – Site Plan*

*Figure 5 – Proposed fence and berm*

*Figure 6 – Variance Narrative from Applicant*

Figure 1 – Zoning Map

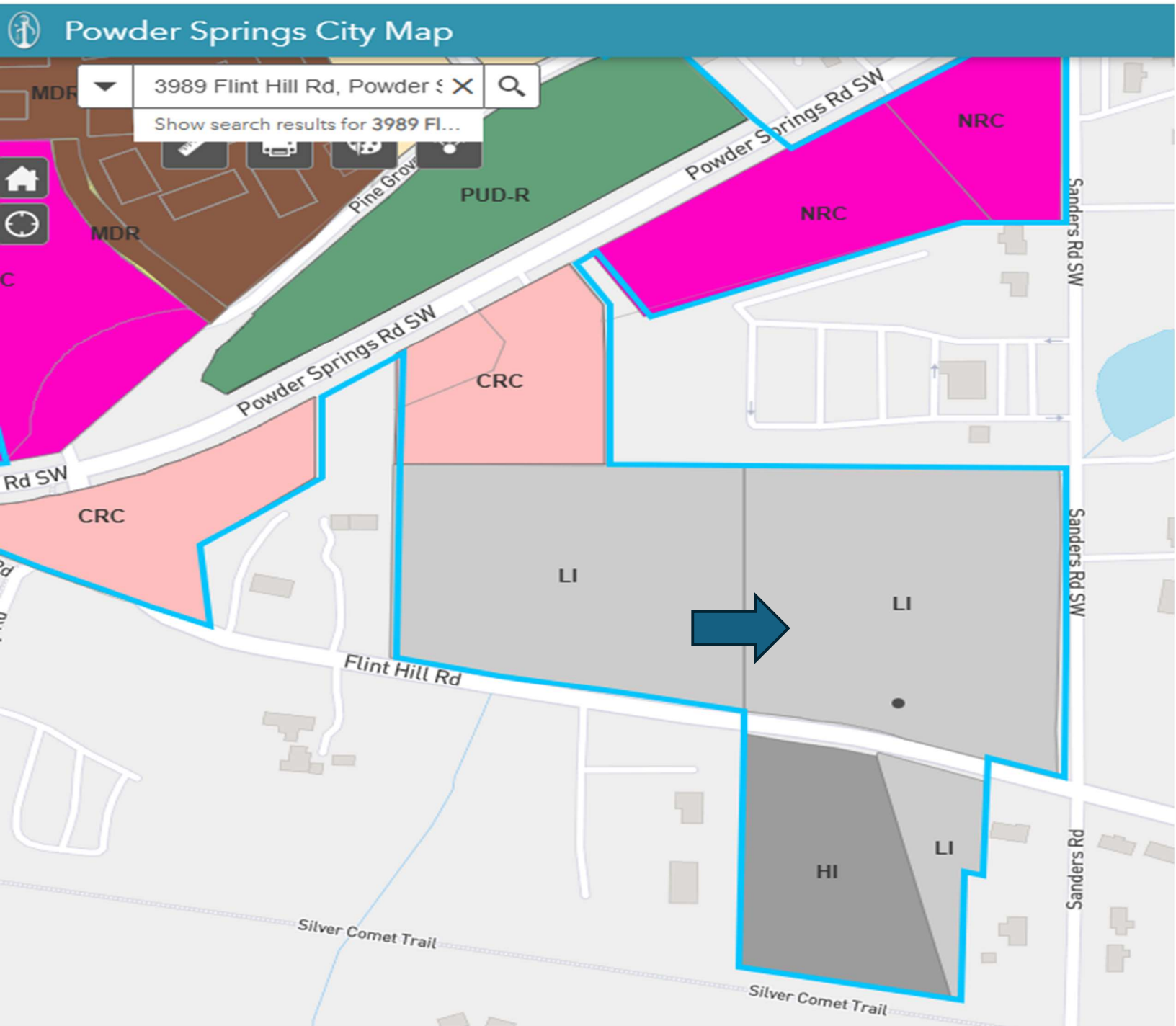


Figure 2 – Overhead view of surrounding properties

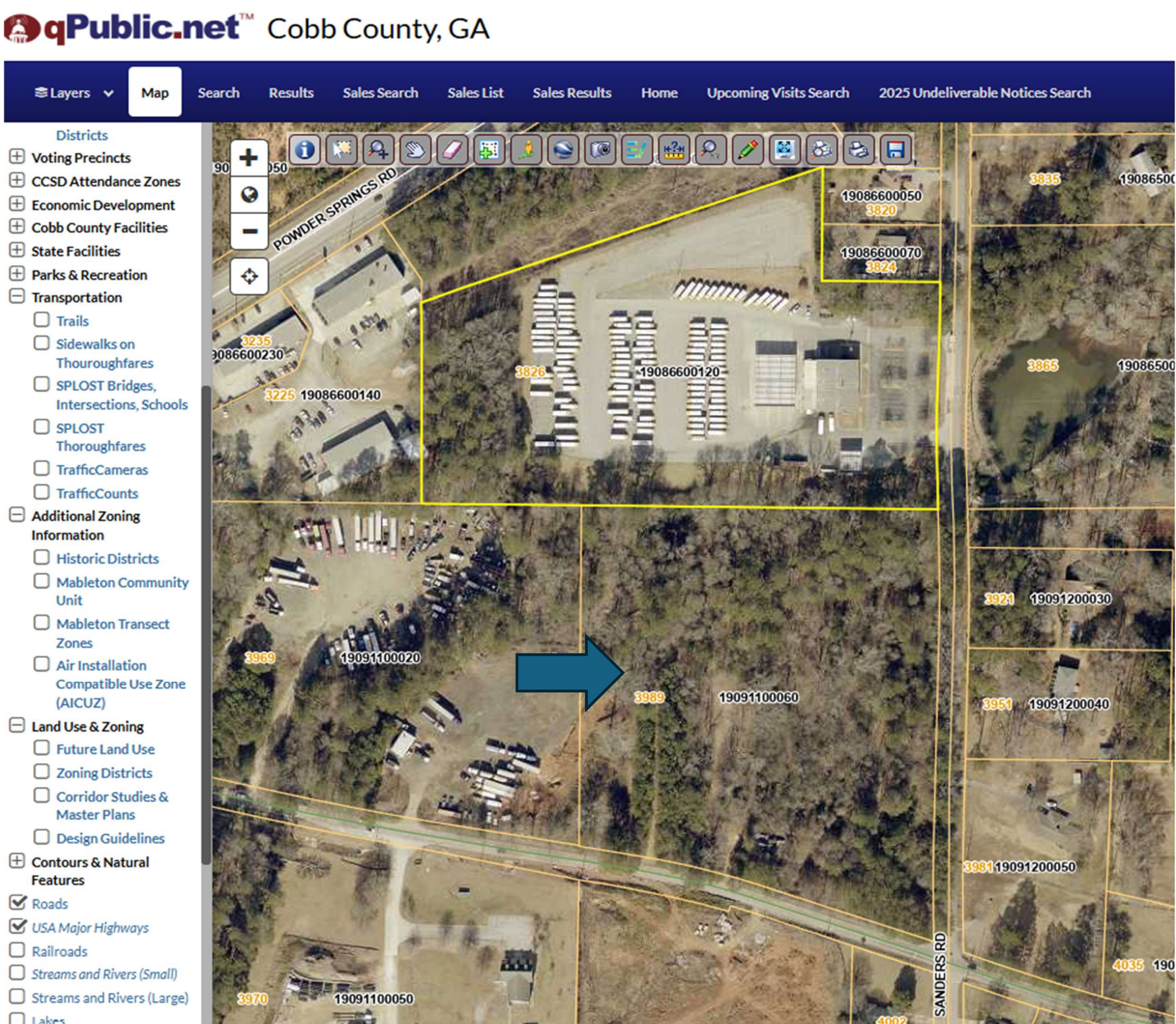
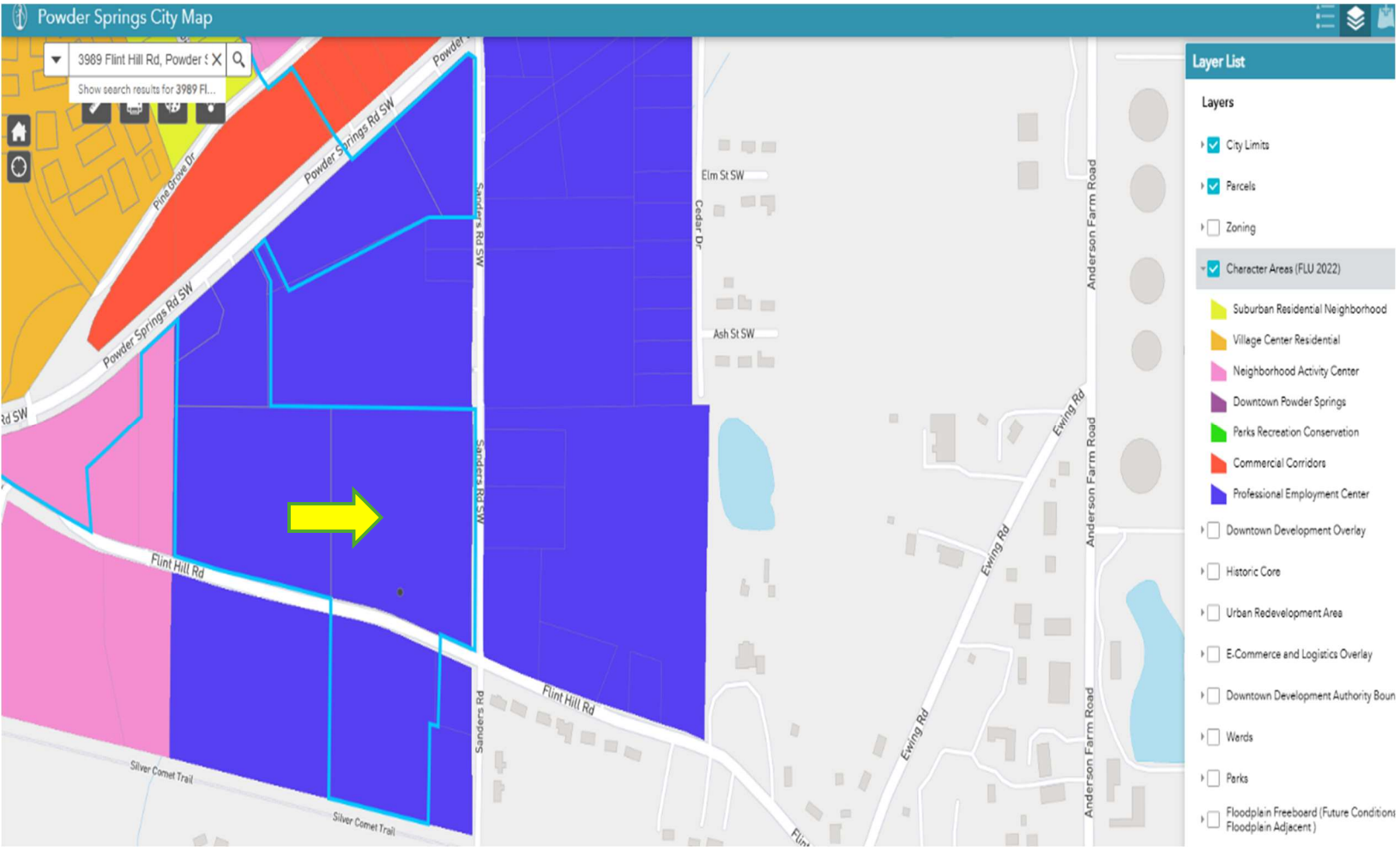


Figure 3 – Future Land Use Map (FLUM)





*Figure 5 – Proposed 8 foot tall fence and 6 foot landscape berm*



Figure 6 – Variance Narrative from Applicant



City of Powder Springs  
4483 Pineview Drive  
Powder Springs, GA 30127  
Phone: 770-943-1666

RE: Narrative for Variance Request for 3989 Flint Hill Road

Dear Planning Commission and City Council,

We have this property under contract for the future use of a storage facility for asphalt millings and a truck parking facility. The site will be used for approximately 3 years as an asphalt storage facility where millings will be stored, sold and hauled away upon purchase. Once the millings have been resold the site will transition to a truck parking facility utilizing a milling surface for parking trucks. The site will be gate controlled and a landscape entrance shall be installed. The site is approximately 8 acres in size. A 6' landscape berm with an 8' privacy fence will be installed along the road frontage to serve as a buffer.

Millings Storage

Hours of Operation: 8am – 5 pm, Monday-Friday

Truck Parking

Hours of Operation: 24 hours per day, 7 days per week

If any further information is required, please contact me directly at 770-596-4330.

Sincerely,

  
Mark Campbell

### **Criteria for Variance Decisions (Applicant's Analysis)**

**a. Are there extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.**

The property was previously zoned as a larger tract with agreeable stipulation for a 100' buffer. The site is now being sold as a partial tract. The 100' buffer impedes the use of the site due to the size of the buffer requirement making only 3 of the 8 acres useable.

**b. A literal interpretation of the provisions of this development code would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.**

The site cannot be fully utilized due to the 100' buffer. The site comprises 8 acres of which only 3 would be useable given the 100' buffer requirement.

**c. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

Buffers will be installed in a manner consistent with it's original intent. Screening will be provided utilizing a 6' landscape berm with a 8' privacy fence to minimize the visibility of the commercial property. Other properties do not have decel lanes on this corridor.

**d. The requested variance will be in harmony with the purpose and intent of this development code and will not be injurious to the neighborhood or to the general welfare.**

These variances would compliment the adjoining commercial properties and improve the overall streetscape of this commercial corridor.

**e. The special circumstances are not the result of the actions of the applicant.**

The prior owner of the property agreed to the 100' buffer due to the proposed use at that time, and in addition, due to the overall size of the property.

**f. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed.**

The variances requested are the minimum required in order to make possible the proposed use.

**g. The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.**

The proposed use is permitted by right under the existing zoning district.

## **Staff Analysis**

Variance to reduce 100' buffer to 30' buffer along Sanders and Flint Hill Road at 3989 Flint Hill Road.

Variance to allow parking of trucks on a millings surface.

Variance to remove the requirement of a decel lane into the property.

- **Status: The applicant is believed to be seeking changes to the following existing conditions, which require verification of which stip:**

### **Review of Original Stipulations (PZ24-017)**

- **Stipulation 5 (Flint Hill Road Buffer): Part of Variance 1**
  - *Requirement:* Requires a 100-foot undisturbed buffer along the Flint Hill Road frontage, directly across from the residentially zoned parcel at 4002 Flint Hill Road.
  - *Trigger:* The buffer must remain until the facing R-20 property is rezoned to a non-single-family classification.
  - *Staff Note:* That property, 4002 Flint Hill Road is still R-20 (per Cobb County GIS)
  - *Staff Note:* Applicant should demonstrate how this reduced buffer is adequate to mitigate light and noise from surrounding residential properties.

### **Stipulation 6 (Sanders Road Buffer): Part of Variance 1**

- *Requirement:* Requires a 100-foot undisturbed buffer along the Sanders Road frontage, directly across from 3921, 3951, and 3981 Sanders Road.
- *Trigger:* The buffer must remain in place for each specific property until its residential use is officially curtailed.
- *Staff Note:* These properties are currently zoned commercial but remain in active residential use, meaning this stipulation should stay intact.
- *Staff Note:* Applicant should demonstrate how this reduced buffer is adequate to mitigate light and noise from surrounding residential properties.

### **Variance 2: Truck Parking Surface Modification**

- **Request:** The applicant seeks a variance to allow heavy truck parking on an asphalt millings surface rather than a standard paved surface.
- **Code Reference:** This request falls under Powder Springs **UDC Sec. 6-58** (Parking Lot Surfacing), which outlines strict requirements for hard-surfacing parking and loading areas.
- **Staff Note:** Applicant to provide engineering documentation or case studies proving that the alternative pavement surface can safely support heavy truck parking without degrading, causing safety hazards, or violating environmental run-off standards.

### **Variance 3: Elimination of Deceleration Lane**

- **Request:** The applicant requests a variance to remove the mandatory requirement for a deceleration lane entering the property.
- **Code Reference:** This is governed by **UDC Sec. 8-67** (Improvement of commercial/industrial development entrances).
- **Staff Note:** Applicant to submit a traffic impact analysis or engineering documentation demonstrating that omitting the deceleration lane will not compromise traffic safety, disrupt standard traffic flow, or create hazardous turning conflicts on the roadway.
- **Staff Note:** This request must be routed to the City Engineer for formal comments regarding traffic flow, safety, and sight-distance impacts before a staff recommendation can be finalized.