



**city of  
powder springs**

# Variance 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**  
Shaun Myers  
Planning and Zoning Manager  
smyers@cityofpowdersprings.org  
770-943-1666



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# Variance Request

## Application Checklist

### Applicant Information

Name **Marque Bibbs**

Phone **770-364-6309**

Mailing Address **2945 Alan Dr. SW. Marietta 30064**

Email **mbibbs@bellsouth.net**

### 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**  
**Variance Request**  
Application Form

### Applicant Information

Name <b>Marque Bibbs</b>	Phone <b>770-364-6309</b>
Mailing Address <b>2945 Alan Dr. SW. Marietta 30064</b>	Email <b>mbibbs@bellsouth.net</b>

### Variance Request Property Information


Address <b>4740 Shipp Road, Powder Springs, Ga. 30127</b>	Parcel ID / Lot# <b>19067800220/ Lot 128</b>
Acreage <b>1.16</b>	Present Zoning <b>R-15</b>
Variance Request <b>Remove requirement for sidewalk, curb and gutter for 4740 Shipp Rd.</b>	
Source of Water Supply <b>Cobb Water</b>	Source of Sewage Disposal <b>Septic</b>

### Additional Information, If Applicable


Elementary School and School's Capacity	Middle School and School's Capacity
High School and School's Capacity	Peak Hours Trips Generated


### Notary Attestation

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

	<u>Marque E. Bibbs</u>	<u>5-10-2022</u>
Signature of Applicant	Printed Name	Date

Subscribed and sworn before me this 10 day of May, 2022

	<u>Brandon Okiche</u>	<u>06-14-2025</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  
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**Variance Request**  
Notice of Intent

### Applicant Information

Name <b>Marque Bibbs</b>	Phone <b>770-364-6309</b>
Mailing Address <b>2945 Alan Dr. SW. Marietta 30064</b>	Email <b>mbibbs@bellsouth.net</b>

### Notice of Intent

**PART I. Please indicate the purpose of this application :**  
 We are seeking a variance to install an ADA ramp and crosswalk in lieu of the installation of a sidewalk, curb and gutter at the frontage of the property at 4740 Shipp Road.

**PART II. Please list all requested variances:**  
 1. No sidewalk installed at frontage of property located at 4740 Shipp Road  
 2. No curb and gutter installed at frontage of property located at 4740 Shipp Road

**Part III. Existing use of subject property:**  
 Single family home under construction

**Part IV. Proposed use of subject property:**  
 Single family home

**Part V. Other Pertinent Information (List or attach additional information if needed):**  
 In lieu of installing sidewalk, curb and gutter, we would install an ADA ramp on the Northeast side of the entrance to Lost Mountain Lakes subdivision to provide access to existing sidewalk which extends the length of Shipp Road from Old Lost Mountain Rd. to Florence Road (approximately 2 miles)

### Applicant Signature

	<b>Marque E. Bibbs</b>	<b>5-10-2022</b>
Signature of Applicant	Printed Name	Date



# Variance Request

## Applicant's Written Analysis

### Applicant Information

Name <b>Marque Bibbs</b>	Phone <b>770-364-6309</b>
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Mailing Address <b>2945 Alan Dr. SW. Marietta 30064</b>	Email <b>mbibbs@bellsouth.net</b>
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### Written Analysis

In details please address these Variance Criteria:

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. See variance addendum
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. See variance addendum
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 See variance addendum
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. See variance addendum
e.	The special circumstances are not the result of the actions of the applicant. See variance addendum
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. See variance addendum
g.	The variance shall not permit a use of land, building or structures, which is not permitted by right in the zoning district overlay district involved. See variance addendum

### Applicant Signature

	<b>Marque E. Bibbs</b>	<b>5-10-2022</b>
Signature of Applicant	Printed Name	Date



city of powder springs

# Variance Request

## Campaign Contribution Disclosure

### Applicant and Attorney Information

Applicant's Name **Marque Bibbs**

Applicant's Address 2945 Alan Drive, Marietta, Ga. 30064

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:

Marque Bibbs \_\_\_\_\_

Dawn Bibbs \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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
N/A	N/A	N/A

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