



City of Powder Springs

City of Powder Springs
4483 Pineview Drive
Powder Springs, GA 30127
powderspringsga.gov

Meeting Agenda

Planning and Zoning Commission Work Session

*Randall Madison, Wanda McDaniel,
Jim Taylor, Roy Wade, Kelly Fisk & Kristopher Boyd*

Thursday, March 12, 2026

7:00 PM

City Hall - Gallery
4483 Pineview Drive
Powder Springs, GA 30127

Call to Order/ Roll Call

Approval of Planning and Zoning Minutes

Regular Agenda

[PZ 26-011](#) Public Art request for a Mural installation on the back of the Liz by Design studio at 4437 Marietta St.
Beautification grant will be used.

Attachments: [Application & Payment Redacted](#)
[Description and site plan](#)
[Meet the Artist](#)
[Mural Maintenance.](#)
[Pic of Mural](#)

[PZ 26-010](#) Special Use 4505 Atlanta St

Attachments: [4505 Atl St SW County Map](#)
[4505 Atl ST SW DEED](#)
[Ad](#)
[Affidavit of Public Notification](#)
[Letter sent to neighbors](#)
[Map - Parking](#)
[Pic of Sign posted](#)
[Pic of Sign posted1](#)
[Pic of Sign posted2](#)
[Receipts for mailings](#)
[Special Use - Signed application](#)
[Staff Report](#)

[PZ 26-009](#)

Rezoning Change in Conditions Lewis Rd & Larkfield Way

Attachments:

[Application for Rezoning](#)

[Staff Report](#)

[01-Cooke Front Exterior-rev](#)

[02-Cooke Front Exterior](#)

[03-Cooke Front Exterior](#)

[04-Cooke Front exterior](#)

[08-Exterior Rear](#)

[AD541319_jnl](#)

[Affidavit of Public Notification - 03-09-2026](#)

[ALTA Survey-Revised](#)

[Certificate of Mailing - 03-05-2026](#)

[Constitutional Challenge - 02-24-2026](#)

[Exhibit A - JKM-MIJS Representative](#)

[Exhibit B - Parcel Listing](#)

[Legal Description](#)

[LWD - 16147-4631](#)

[motion. pz 22 003](#)

[Notification Mailing Listing - 03-02-2026](#)

[PZ26-009 - Amendment to Application - 03-02-2026](#)

[Sign Posting 1 - 03-06-2026](#)

[Sign Posting 2 - 03-06-2026](#)

[Vicinity Map](#)

[Wildwood Place Final Plat - Recorded 10.14.24, PB 282 PG 885](#)

[Staff Report](#)

[PZ 26-008](#) Rezoning Change in Conditions 1048 Richard D Sailors Pkwy

Attachments: [Staff Report](#)
[Application for Rezoning](#)
[Site Plan](#)
[1048 RICHARD D SAILORS D](#)
[1048 RICHARD D SAILORS C](#)
[1048 RICHARD D SAILORS B](#)
[1048 RICHARD D SAILORS A](#)
[1048 Richard](#)
[AD541329_jnl](#)
[Affidavit of Public Notification - 03-06-2026](#)
[Certificate of Mailing - 03-05-2026](#)
[Constitutional Challenge](#)
[DE-15586-5417](#)
[DOC030526-03052026154012](#)
[Exhibit A - JKM - MIJS Representative](#)
[Legal Description](#)
[Mailing Labels \(11\)](#)
[Notification Letter - 03-05-2026](#)
[PB-278 Pg-337_signed](#)
[Sign Posting 1 - 03-05-2026](#)
[Sign Posting 1A - 03-05-2026](#)
[Sign Posting 2 - 03-05-2026 \(1\)](#)
[Sign Posting 2 - 03-05-2026](#)
[Vicinity Map](#)

[PZ 26-007](#) Rezoning Change in Conditions 0 Hiram Lithia Springs Rd

Attachments: [Staff Report](#)
[AD541332_jnl](#)
[Affidavit of Public Notification Pkg-Vision Dev \(26PDR-REZ00002\)](#)
[Rezoning Application Pkg-Vision Development & Construction Services, LLC-Hiram I](#)
[Site & Preliminary Plans](#)
[Staff Report](#)

[PZ 26-004](#) Variance 4420 MAcedonia Rd

Attachments: [Work Session Minutes 2/12/26](#)
[Variance Application Redacted](#)
[HOA Support of Fence Installation Redacted](#)
[Survey Map with Proposed New Fence](#)
[4420 Macedonia Road Survey Redacted](#)
[Existing East Side Fence](#)
[Fence Height](#)
[Property Line](#)
[Address List](#)
[AD534893 _jnl Redacted](#)
[Affidavit of Public Notification](#)
[Letter sent to neighbors](#)
[Receipt from Mailing Letters](#)
[Picture of Sign Posted](#)
[Staff Report](#)

[PZ 26-003](#) Special Use 4093 Marietta St Ste C

Attachments: [Work Session Minutes](#)
[Alcohol Permit Survey](#)
[GA State Rules for retail package liquor stores](#)
[Application Redacted](#)
[Picture of Site & Bldg](#)
[4093 neighbor list](#)
[Updated Ad](#)
[AD proof](#)
[Affidavit](#)
[Letter mailed to neighbors](#)
[Pic of sign posted](#)
[Staff Report](#)

Executive Session, if called for the purpose of Personnel, Real Estate, or Litigation Matters

Adjourn



City of Powder Springs

Staff Report

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

3/12/2026



Community Development
 4483 Pineview Dr SW Bldg 100
 Powder Springs GA 30127.
 commdev@powderspringsga.gov
 770-943-1666.

Public Art Application Form

Applicant Information

Name Liz Williams

Email [Redacted]

Address 4437 Marietta St

Phone [Redacted]

Artwork Details

Title of Artwork NA

Artist Name(s) Curtis Glaser

Medium/
Materials Used Outdoor paint

Dimensions
(Height x Width x Depth) back of studio - have not measured building

Proposed Location Liz by Design Studio (back)

Brief Description mural on back of studio

Application Submission Checklist

- 1 Detailed description of the proposed artwork.
- 2 Site plan and visual renderings.
- 3 Artist's statement and portfolio.
- 4 Budget and identified funding sources. \$4000 grant
- 5 Maintenance plan.
- 6 Letter of permission from the property owner (if applicable). NA
- 7 Community engagement plan. ?

Signature

By signing below, the applicant acknowledges:

- i. They are responsible for the maintenance of the artwork as outlined in the maintenance plan.
- ii. They have reviewed the city's Public Art Ordinance (UDC Sec. 4-231. Public Art Displays) and will comply with all requirements.
- iii. The City of Powder Springs reserves the right to remove or relocate the artwork if necessary.

Liz Williams Liz Williams / owner 1/30/20
 Signature of Applicant Printed Name and Title Date

For Official Use Only: Reviews and Recommendations

Chief of Police	Community Development	Parks and Cultural Affairs Director
Planning and Zoning Recommendation	Arts Commission Recommendation	City Council Decision

CITY OF POWDER SPRINGS

3875

VENDOR: VEN08925 LIZ by Design Photography, LLC

12/12/2025

DATE	INVOICE #	PO #	DESCRIPTION	AMOUNT
12/8/2025	BB GRANT		BUSINESS BEAUTIFICATION GRANT	4,000.00



P131-02 Q

MGL PRINTING SOLUTIONS, (908) 665-1999

CHECK TOTAL 4,000.00

THIS DOCUMENT HAS A COLORED BACKGROUND AND FLUORESCENT FIBERS • SEE ADDITIONAL SECURITY FEATURES ON REVERSE SIDE • MISSING A FEATURE INDICATES A COPY



City of Powder Springs

Cash Pool
P.O. Box 46
Powder Springs, GA 30127
(770) 943-1666

Truist Bank
303 Peachtree Street NE, 3rd
Atlanta, GA 30308

CHECK # [REDACTED]
64-10/61

CHECK DATE
12/12/2025

PAY THIS AMOUNT
\$4,000.00

Void After 180 Days

PAY ---Four Thousand Dollars and 00/100 Cents---

TO THE ORDER OF LIZ by Design Photography, LLC
4437 MARIETTA ST.
POWDER SPRINGS, GA 30127

Pamela B. Conner



Description, Rendering, & Site Plan

Curtis Glover has agreed to design and paint a one of a kind mural that is to be placed on the back of the Liz by Design Photography building. He has agreed to this for the amount of \$4000 plus the cost of his stay for the week (paid by Liz).



The mural will be placed on the back of the building

-



The inspiration behind the mural is this dark and moody floral painting.

-

The rendering will be submitted as soon as its completed. Curtis could not start the rendering until funds were in hand. We picked up the check on 01/09/26. Today is 01/12.26.

Meet the Artist- Curtis Glover

(828) 215-1377 CURTISGLOVERCREATIVE@GMAIL.COM

Curtis Glover Creative is a specialized business focused on bringing a client's creative vision to life through the collaborative efforts of the client and artist. Combining your ideas with an artistic touch to meet your unique business, residential, or personal needs. Murals, faux finish, custom painting, furniture, signage, logos, or any other project you can dream up. There is no limit to your imagination.

Website- <https://curtisglovercreative.wordpress.com/>

IG- @curtisglovercreative

FB- <https://www.facebook.com/curtisglovercreative/>

|

Mural Maintenance

Curtis states that the mural should not need any touchups until after 10 years of age unless there is vandalism. Curtis uses a 2x varnish coating that protects from the sun and fading. He recommends keeping grass clippings and weed eating off from around the building and to wash off with a hose if that happens. If he were to need to come back to do touchups, its a minimum of \$150 but most likely not needed for a very long time. |





City of Powder Springs

Staff Report

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

3/12/2026

AFTER RECORDING RETURN TO:
UNITED COMMUNITY BANK
LOAN OPERATIONS CENTER
PO BOX 249
BLAIRSVILLE, GA 30514

0912446204

(Space Above This Line For Recording Data)

LOAN NUMBER: XXXXXX8642

Date: May 29, 2025

Signatories: FRANKLIN M RUIZ

Grantee's mailing address: 1220 Richard D Sailors Pkwy , Powder Springs, Georgia 30127

Map and parcel identification information: 19090200190

Loan amount: \$250,000.00

Initial maturity date(s): May 28, 2030

Amount of any intangible recording tax: ~~\$93.00~~ \$750.00

9046911-02

**COMMERCIAL REAL ESTATE DEED TO SECURE DEBT
FUTURE ADVANCES AND FUTURE OBLIGATIONS ARE SECURED BY THIS REAL ESTATE
SECURITY DEED**

This COMMERCIAL REAL ESTATE DEED TO SECURE DEBT ("Security Instrument") is made on May 29, 2025 by the grantor(s) FRANKLIN M RUIZ, whose address is 240 LAKESTONE PARKWAY , WOODSTOCK, Georgia 30188 ("Grantor"). This Security Instrument is given to the grantee, UNITED COMMUNITY BANK, whose address is 1220 Richard D Sailors Pkwy , Powder Springs, Georgia 30127 ("Lender"), which is organized and existing under the laws of the State of South Carolina. Grantor in consideration of loans extended by Lender and for other valuable consideration, the receipt of which is acknowledged, hereby grants and conveys to Lender, its successors and assigns, forever, with power of sale, all of Grantor's right, title, and interest in and to the following described property located in the County of COBB, State of Georgia:

Address: 4505 ATLANTA ST SW, POWDER SPRINGS, Georgia 30127

Legal Description: All that tract or parcel of land lying and being in Land Lot 902 of the 19th District, 2nd Section of Cobb County, Georgia, being 0.34 acres as per plat of survey prepared for Mauricio Ruiz dated March 17, 2020, and prepared by Cullen Preston Hardee, G.R.L.S. #3144, United Land Surveying, Project Reference #20-119, and which is more particularly described as follows: BEGINNING at a concrete monument located at the intersection of the southerly side of the right-of-way of Atlanta Street (said right-of-way being variable in width) and the easterly side of the right-of-way of Murray Avenue (said right-of-way being variable in width) and running thence South 89 degrees 46' 37" East along the southerly side of the right-of-way of Atlanta Street for a distance of 77.66 feet to a point and corner located on the westerly side of the right-of-way of Lewis Road (said right-of-way being variable in width); running thence South 29 degrees 28' 53" East along the westerly side of the right-of-way of Lewis Road for a distance of 108.71 feet to a concrete right-of-way monument and corner;



running thence along the arc of a curve to the left, in a counterclockwise direction along the westerly side of the right-of-way of Lewis Road, having a radius of 487.50 feet (said arc being subtended by a chord bearing South 5 degrees 32' 57" East a chord distance of 39.80 feet) for an arc distance of 39.81 feet to a concrete right-of-way monument and corner located on the northerly side of the right-of-way of Murray Avenue; running thence South 64 degrees 46' 58" West along the northerly side of the right-of-way of Murray Avenue for a distance of 79.56 feet to a concrete right-of-way monument and corner; running thence North 27 degrees 54' 16" West along the easterly side of the right-of-way of Murray Avenue for a distance of 134.64 feet to a concrete right-of-way monument; running thence North 00 degrees 01' 13" West along the easterly side of the right-of-way of Murray Avenue for a distance of 49.46 feet to a concrete right-of-way monument at the point of beginning. Being the same property conveyed to Franklin Mauricio Ruiz by Deed from Robert Gestler and Yvette D. Gestler recorded on 05/15/2020 at Book 15743, at Page 5812, of the COBB County, GEORGIA Records. Being the same property conveyed to Franklin Mauricio Ruiz by Deed from Robert Gestler and Yvette D. Gestler recorded on 05/15/2020 at Book 15743, at Page 5815, of the COBB County, GEORGIA Records. Commonly known as: 4505 ATLANTA ST SW, POWDER SPRINGS, GA 30127 Parcel No. 19090200190 Parcel ID/Sidwell Number: 19090200190

Together with all easements, appurtenances abutting streets and alleys, improvements, buildings, fixtures, tenements, hereditaments, equipment, rents, income, profits and royalties, personal goods of whatever description and all other rights and privileges including all minerals, oil, gas, water (whether groundwater, subterranean or otherwise), water rights (whether riparian, appropriate or otherwise, and whether or not appurtenant to the above-described real property), wells, well permits, ditches, ditch rights, reservoirs, reservoir rights, reservoir sites, storage rights, dams and water stock that may now, or at any time in the future, be located on and/or used in connection with the above-described real property, payment awards, amounts received from eminent domain, amounts received from any and all insurance payments, and timber which may now or later be located, situated, or affixed on and used in connection therewith (hereinafter called the "Property").

RELATED DOCUMENTS. The words "Related Documents" mean all promissory notes, security agreements, mortgages, deeds of trust, deeds to secure debt, business loan agreements, construction loan agreements, resolutions, guaranties, environmental agreements, subordination agreements, assignments of leases and rents and any other documents or agreements executed in connection with the Indebtedness and Security Instrument, whether now or hereafter existing, including any modifications, extensions, substitutions or renewals of any of the foregoing. The Related Documents are hereby made a part of this Security Instrument by reference thereto, with the same force and effect as if fully set forth herein.

INDEBTEDNESS. This Security Instrument secures all amounts as may be evidenced by a promissory note or notes of even, prior or subsequent date hereto, including future advances and every other indebtedness of any and every kind now or hereafter owing from Grantor to Lender, howsoever created or arising, whether primary, secondary or contingent together with any interest or charges provided in or arising out of such indebtedness, as well as the agreements and covenants of this Security Instrument and all Related Documents (hereinafter all referred to as the "Indebtedness"). Without limiting the foregoing, Indebtedness expressly includes the following:

Promissory Note. The principal amount of \$250,000.00 evidenced by the promissory note dated May 29, 2025 on loan number 6000618642 made by Grantor, payable to the order of Lender, and all interest, charges, and other amounts which may be or may become owed as provided under the terms of said promissory note, and any and all amendments, modifications, renewals, extensions, reamortizations, or substitutions thereof. This promissory note, if not paid earlier, will mature on May 28, 2030, unless renewed or extended or the maturity date is accelerated for any reason.

Protective Advances. All amounts advanced by or on behalf of Lender, its successors or assigns, to preserve or protect the Property or fulfill any of the obligations of Grantor, under this Security Instrument or any of the Related Documents, including without limitation, any protective advances made with respect to the Property for the payment of taxes, assessments, insurance premiums, costs incurred for the protection of the Property and other costs which Lender is authorized by this Security Instrument or any of the Related Documents to pay on behalf of Grantor.



Future Advances. To the extent permitted by law, this Security Instrument will secure future advances as if such advances were made on the date of this Security Instrument regardless of the fact that from time to time there may be no balance due under the note and regardless of whether Lender is obligated to make such future advances.

Consumer Purpose Loan Exclusion. Notwithstanding anything to the contrary, Indebtedness specifically excludes any obligation pursuant to a credit transaction which was offered or extended primarily for personal, family, or household purposes.

WARRANTIES. Grantor, for itself, its heirs, personal representatives, successors, and assigns, represents, warrants, covenants and agrees with Lender, its successors and assigns, as follows:

Performance of Obligations. Grantor promises to perform all terms, conditions, and covenants of this Security Instrument and Related Documents in accordance with the terms contained therein.

Defense and Title to Property. At the time of execution and delivery of this instrument, Grantor is lawfully seized of the estate hereby conveyed and has the exclusive right to mortgage, grant, convey and assign the Property. Grantor covenants that the Property is unencumbered and free of all liens except for encumbrances of record acceptable to Lender. Further, Grantor covenants that Grantor will warrant and defend generally the title to the Property against any and all claims and demands whatsoever, subject to the easements, restrictions, or other encumbrances of record acceptable to Lender, as may be listed in the schedule of exceptions to coverage in any abstract of title or title insurance policy insuring Lender's interest in the Property.

Condition of Property. Grantor promises at all times to preserve and to maintain the Property and every part thereof in good repair, working order, and condition and will from time to time, make all needful and proper repairs so that the value of the Property shall not in any way be impaired.

Removal of any Part of the Property. Grantor promises not to remove any part of the Property from its present location, except for replacement, maintenance and relocation in the ordinary course of business.

Alterations to the Property. Grantor promises to abstain from the commission of any waste on or in connection with the Property. Further, Grantor shall make no material alterations, additions, or improvements of any type whatsoever to the Property, regardless of whether such alterations, additions, or improvements would increase the value of the Property, nor permit anyone to do so except for tenant improvements and completion of items pursuant to approved plans and specifications, without Lender's prior written consent, which consent may be withheld by Lender in its sole discretion. Grantor will comply with all laws and regulations of all public authorities having jurisdiction over the Property including, without limitation, those relating to the use, occupancy and maintenance thereof and shall upon request promptly submit to Lender evidence of such compliance.

Due on Sale - Lender's Consent. Grantor shall not sell, further encumber or otherwise dispose of, except as herein provided, any or all of its interest in any part of or all of the Property without first obtaining the written consent of Lender. If any encumbrance, lien, transfer or sale or agreement for these is created, Lender may declare immediately due and payable, the entire balance of the Indebtedness.

Insurance. Grantor promises to keep the Property insured against such risks and in such form as may within the sole discretion of Lender be acceptable, causing Lender to be named as loss payee or if requested by Lender, as mortgagee. If requested by Lender, all insurance policies shall include a lender's loss payable endorsement. The insurance company shall be chosen by Grantor subject to Lender's approval, which shall not be unreasonably withheld. All insurance policies must provide that Lender will get a minimum of 30 days' notice prior to cancellation. At Lender's discretion, Grantor may be required to produce receipts of paid premiums and renewal policies. If Grantor fails to obtain the required coverage, Lender may do so at Grantor's expense. Grantor hereby directs each and every insurer of the Property to make payment of loss to



Lender with the proceeds to be applied, only at Lender's option, to the repair and replacement of the damage or loss or to be applied to the Indebtedness with the surplus, if any, to be paid by Lender to Grantor.

Payment of Taxes and Other Applicable Charges. Grantor promises to pay and to discharge liens, encumbrances, taxes, assessments, lease payments and any other charges relating to the Property when levied or assessed against Grantor or the Property.

Environmental Laws and Hazardous or Toxic Materials. Grantor and every tenant have been, are presently and shall continue to be in strict compliance with any applicable local, state and federal environmental laws and regulations. Further, neither Grantor nor any tenant shall manufacture, store, handle, discharge or dispose of hazardous or toxic materials as may be defined by any state or federal law on the Property, except to the extent the existence of such materials has been presently disclosed in writing to Lender. Grantor will immediately notify Lender in writing of any assertion or claim made by any party as to the possible violation of applicable state and federal environmental laws including the location of any hazardous or toxic materials on or about the Property. Grantor indemnifies and holds Lender harmless from, without limitation, any liability or expense of whatsoever nature incurred directly or indirectly out of or in connection with: (a) any environmental laws affecting all or any part of the Property or Grantor; (b) the past, present or future existence of any hazardous materials in, on, under, about, or emanating from or passing through the Property or any part thereof or any property adjacent thereto; (c) any past, present or future hazardous activity at or in connection with the Property or any part thereof; and (d) the noncompliance by Grantor or Grantor's failure to comply fully and timely with environmental laws.

Financial Information. Grantor agrees to supply Lender such financial and other information concerning its affairs and the status of any of its assets as Lender, from time to time, may reasonably request. Grantor further agrees to permit Lender to verify accounts as well as to inspect, copy and to examine the books, records, and files of Grantor.

Lender's Right to Enter. Lender or Lender's agents shall have the right and access to inspect the Property at all reasonable times in order to attend to Lender's interests and ensure compliance with the terms of this Security Instrument. If the Property, or any part thereof, shall require inspection, repair or maintenance which Grantor has failed to provide, Lender, after reasonable notice, may enter upon the Property to effect such obligation; and the cost thereof shall be added to the Indebtedness and paid on Lender's demand by Grantor.

ASSIGNMENT OF LEASES AND RENTS. As additional security for the payment of the Indebtedness and the performance of the covenants contained herein, Grantor hereby assigns and transfers over to Lender any present or future leases, subleases, or licenses of the Property, including any guaranties, extensions, amendments, or renewals thereof, and all rents, income, royalties, and profits derived from the use of the Property or any portion of it, whether due or to become due (collectively the "Rents"). So long as Grantor is not in default, Grantor may receive, collect and enjoy all Rents accruing from the Property, but not more than one month in advance of the due date. Lender may also require Grantor, tenant and any other user of the Property to make payments of Rents directly to Lender. However, by receiving any such payments, Lender is not, and shall not be considered, an agent for any party or entity. Any amounts collected may, at Lender's sole discretion, be applied to protect Lender's interest in the Property, including but not limited to the payment of taxes and insurance premiums and to the Indebtedness. At Lender's sole discretion, all leases, subleases and licenses must first be approved by Lender.

CONDEMNATION. Grantor shall give Lender notice of any action taken or threatened to be taken by private or public entities to appropriate the Property or any part thereof, through condemnation, eminent domain or any other action. Further, Lender shall be permitted to participate or intervene in any of the above described proceedings in any manner it shall at its sole discretion determine. Lender is hereby given full power, right and authority to receive and receipt for any and all damages awarded as a result of the full or partial taking or appropriation and in its sole discretion, to apply said awards to the Indebtedness, whether or not then due or otherwise in accordance with applicable law. Unless Lender otherwise agrees in writing, any application of



proceeds to the Indebtedness shall not extend or postpone the due date of the payments due under the Indebtedness or change the amount of such payments.

GRANTOR'S ASSURANCES. At any time, upon a request of Lender, Grantor will execute and deliver to Lender, and if appropriate, cause to be recorded, such further mortgages, assignments, assignments of leases and rents, security agreements, pledges, financing statements, or such other document as Lender may require, in Lender's sole discretion, to effectuate, complete and to perfect as well as to continue to preserve the Indebtedness, or the lien or security interest created by this Security Instrument.

ATTORNEY-IN-FACT. Grantor appoints Lender as attorney-in-fact on behalf of Grantor. If Grantor fails to fulfill any of Grantor's obligations under this Security Instrument or any Related Documents, including those obligations mentioned in the preceding paragraph, Lender as attorney-in-fact may fulfill the obligations without notice to Grantor. This power of attorney shall not be affected by the disability of the Grantor.

EVENTS OF DEFAULT. The following events shall constitute default under this Security Instrument (each an "Event of Default"):

- (a) Failure to make required payments when due under Indebtedness;
- (b) Failure to perform or keep any of the covenants of this Security Instrument or a default under any of the Related Documents;
- (c) The making of any oral or written statement or assertion to Lender that is false or misleading in any material respect by Grantor or any person obligated on the Indebtedness;
- (d) The death, dissolution, insolvency, bankruptcy or receivership proceeding of Grantor or of any person or entity obligated on the Indebtedness;
- (e) Any assignment by Grantor for the benefit of Grantor's creditors;
- (f) A material adverse change occurs in the financial condition, ownership, or management of Grantor or any person obligated on the Indebtedness; or
- (g) Lender deems itself insecure for any reason whatsoever.

REMEDIES ON DEFAULT. Upon the occurrence of an Event of Default, Lender may, without demand or notice, pay any or all taxes, assessments, premiums, and liens required to be paid by Grantor, effect any insurance provided for herein, make such repairs, cause the abstracts of title or title insurance policy and tax histories of the Property to be certified to date, or procure new abstracts of title or title insurance and tax histories in case none were furnished to it, and procure title reports covering the Property, including surveys. The amounts paid for any such purposes will be added to the Indebtedness and will bear interest at the rate of interest otherwise accruing on the Indebtedness until paid. In the event of foreclosure, the abstracts of title or title insurance shall become the property of Lender. All abstracts of title, title insurance, tax histories, surveys, and other documents pertaining to the Indebtedness will remain in Lender's possession until the Indebtedness is paid in full.

IN THE EVENT OF THE SALE OF THIS PROPERTY UNDER THE PROCEDURE FOR FORECLOSURE OF A SECURITY INSTRUMENT BY ADVERTISEMENT, AS PROVIDED BY APPLICABLE LAW, OR IN THE EVENT LENDER EXERCISES ITS RIGHTS UNDER THE ASSIGNMENT OF LEASES AND RENTS, THE GRANTOR HEREBY WAIVES ANY RIGHT TO ANY NOTICE OTHER THAN THAT PROVIDED FOR SPECIFICALLY BY STATUTE, OR TO ANY JUDICIAL HEARING PRIOR TO SUCH SALE OR OTHER EXERCISE OF RIGHTS.

Upon the occurrence of an Event of Default, Lender may, without notice unless required by law, and at its option, declare the entire Indebtedness due and payable, as it may elect, regardless of the date or dates of maturity thereof and, if permitted by state law, is authorized and empowered to cause the Property to be sold at public auction, and to execute and deliver to the purchaser or purchasers at such sale any deeds of conveyance good and sufficient at law, pursuant to the statute in such case made and provided, and out of the proceeds of the sale to retain the sums then due hereunder and all costs and charges of the sale, including attorneys' fees, rendering any surplus to the party or parties entitled to it. If Lender chooses to invoke the power of sale, Lender will provide notice of sale pursuant to applicable law. Lender or its designee may purchase the Property at any sale. Any such sale or a sale made pursuant to a judgment or a decree for the foreclosure hereof may, at the option of Lender, be made en



masse. The commencement of proceedings to foreclose this Security Instrument in any manner authorized by law shall be deemed as exercise of the above option.

Upon the occurrence of an Event of Default, Lender shall immediately be entitled to make application for and obtain the appointment of a receiver for the Property and of the earnings, income, issue and profits of it, with the powers as the court making the appointments confers. Grantor hereby irrevocably consents to such appointment and waives notice of any application therefor.

The parties agree that the remedies available may be inadequate compensation for any loss. Therefore, to the extent allowed by applicable law, in Lender's sole discretion, Lender may seek specific performance of any promise, obligation, or covenant contained in this Security Instrument. Any defense in any action for specific performance that the remedy at law would be adequate is waived.

To the extent allowed by law, all of Lender's rights and remedies, however evidenced and from whichever source they derive, are cumulative in nature. Lender is entitled to exercise any remedy in any order it determines appropriate. Lender may exercise remedies singularly or concurrently.

NO WAIVER. No delay or failure of Lender to exercise any right, remedy, power or privilege hereunder shall affect that right, remedy, power or privilege nor shall any single or partial exercise thereof preclude the exercise of any right, remedy, power or privilege. No Lender delay or failure to demand strict adherence to the terms of this Security Instrument shall be deemed to constitute a course of conduct inconsistent with Lender's right at any time, before or after an event of default, to demand strict adherence to the terms of this Security Instrument and the Related Documents.

JOINT AND SEVERAL LIABILITY. The liability of all parties obligated in any manner under this Security Instrument shall be joint and several, to the extent of their respective obligations.

SURVIVAL. Lender's rights in this Security Instrument will continue in its successors and assigns. This Security Instrument is binding on all heirs, executors, administrators, assigns, and successors of Grantor.

NOTICES. Unless otherwise required by applicable law or provided under this Security Instrument, any notice or demand given by Lender to any party is considered effective when: (i) it is deposited in the United States Mail with the appropriate postage; (ii) it is sent via electronic mail; (iii) it is sent via facsimile; (iv) it is deposited with a nationally recognized overnight courier service; (v) it is received if personally delivered; or (vi) it is received if delivered through any other commercially reasonable means. Such notice or demand shall be sent to the party at the address contained herein or at an alternative address, e-mail address, or facsimile number as may be provided to Lender in writing. Any notice given to Lender must be addressed to Lender at the address contained herein or at an alternative address as may be provided by Lender in writing.

GENERAL WAIVERS. Grantor, to the extent permitted by law, hereby waives (a) notice of acceptance of this Security Instrument, and all notice of the creation, extension of, or accrual of any of the Indebtedness; (b) diligence, presentment, protest, demand for payment, notice of dishonor, notice of intent to accelerate, and notice of acceleration in connection with the Indebtedness or any other obligations now existing or hereafter owing which are secured by this Security Instrument; (c) any requirement that Lender proceed against or pursue any other collateral securing or any other party responsible for some or all of the Indebtedness; (d) any requirement that Lender pursue or exhaust any other remedy available to Lender; (e) any right to request that Lender marshal any part or piece of the Property and/or any other collateral; (f) any defenses or claims relating to Lender's failure to protect, preserve, or resort to any collateral; and (g) any and all defenses that could be asserted by Grantor, including, but not limited to, any defenses arising out of failure of consideration, breach of warranty, fraud, payment, statute of frauds, bankruptcy, lack of capacity, statute of limitations, Lender liability, unenforceability of any loan document, accord and satisfaction, usury, or the extension, renewal, and modification of the Indebtedness.

Grantor, to the extent permitted by law, further waives and agrees not to assert any and all rights, benefits, and defenses that might otherwise be available under the provisions of the governing law that might operate, contrary to any agreements between Grantor, and Lender, to limit Grantor's liability to Lender, including all defenses of suretyship.



TO THE EXTENT PERMITTED BY LAW, GRANTOR WAIVES ANY RIGHT TO NOTICE, OTHER THAN ANY NOTICE REQUIRED HEREIN, AND WAIVES ANY RIGHT TO ANY HEARING, JUDICIAL OR OTHERWISE, PRIOR TO LENDER EXERCISING ITS RIGHTS UNDER THIS SECURITY INSTRUMENT.

WAIVER OF APPRAISEMENT RIGHTS. Grantor waives all appraisement rights relating to the Property to the extent permitted by law.

LENDER'S EXPENSES. Grantor agrees to pay all expenses incurred by Lender in connection with enforcement of its rights under the Indebtedness, this Security Instrument or in the event Lender is made party to any litigation because of the existence of the Indebtedness or this Security Instrument, as well as court costs, collection charges and reasonable attorneys' fees and disbursements.

ASSIGNABILITY. Lender may assign or otherwise transfer this Security Instrument or any of Lender's rights under this Security Instrument without notice to Grantor. Grantor may not assign this Security Instrument or any part of the Security Instrument without the express written consent of Lender.

GOVERNING LAW. This Security Instrument is governed by the laws of the State of Georgia except to the extent that federal law controls.

SEVERABILITY. If a court of competent jurisdiction determines any term or provision of this Security Instrument is invalid or prohibited by applicable law, that term or provision will be ineffective to the extent required. Any term or provision that has been determined to be invalid or prohibited will be severed from the rest of the Security Instrument without invalidating the remainder of either the affected provision or this Security Instrument.

WAIVER OF JURY TRIAL. All parties to this Security Instrument hereby knowingly and voluntarily waive, to the fullest extent permitted by law, any right to trial by jury of any dispute, whether in contract, tort, or otherwise, arising out of, in connection with, related to, or incidental to the relationship established between them in this Security Instrument or any other instrument, document or agreement executed or delivered in connection with this Security Instrument or the Related Documents.

UNIFORM COMMERCIAL CODE (U.C.C.) Grantor grants to Lender a security interest in all goods that Grantor owns now or in the future and that are or will become fixtures related to the Property. Grantor authorizes Lender to file any financing statements required under the Uniform Commercial Code.

ORAL AGREEMENTS DISCLAIMER. This Security Instrument represents the final agreement between the parties and may not be contradicted by evidence of prior, contemporaneous, or subsequent oral agreements of the parties. There are no unwritten oral agreements between the parties.

SECURITY DEED. This conveyance is to be construed under the existing laws of the state of Georgia as a deed passing title, and not as a mortgage, and is intended to secure the payment of all sums secured hereby.

Flood Provision: Notwithstanding any other provision hereof, if at any time any portion of the Property is located in an area designated by the Federal Emergency Management Agency as a special flood hazard area, then during such period (a) the Indebtedness secured hereby shall be deemed limited to (i) the obligations referenced in the paragraph labelled "Promissory Note" within the "Indebtedness" section above and (ii) the Grantor's obligations hereunder; and (b) any personal property (as opposed to real property) that would otherwise constitute a portion of the Property shall be limited to only those items specifically covered (currently or hereafter) by Coverage A of the standard flood insurance policy issued in accordance with the National Flood Insurance Program or under equivalent coverage similarly issued by a private insurer to satisfy the National Flood Insurance Act (as amended).

THIS SECURITY INSTRUMENT IS MADE, GIVEN, SIGNED, AND DELIVERED UNDER SEAL AND IT IS INTENDED THAT THIS SECURITY INSTRUMENT IS AND SHALL HAVE THE EFFECT OF A SEALED INSTRUMENT UNDER LAW.



By signing this Security Instrument, each Grantor acknowledges that all provisions have been read and understood. Signed and sealed by Grantor(s):

FRANKLIN M RUIZ 05/29/2025 (Seal)
FRANKLIN M RUIZ Date
Individually

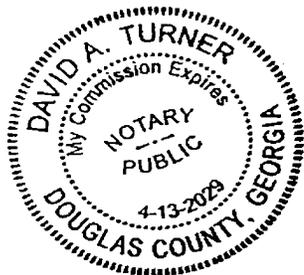
ATTESTATION

IN WITNESS WHEREOF, Grantor has executed this Security Instrument.

Signed, sealed, and delivered in the presence of:

DAVID A. TURNER (Seal)
Official Witness: DAVID A. TURNER Date 5-29-25
DOUGLAS County

STEPHANIE CHANDLER (Seal)
Witness Date 5-29-25
Print name: Stephanie Chandler



Unofficial Copy

THIS INSTRUMENT PREPARED BY:

Genaveve Veliky
1220 Richard D Sailors Pkwy , Powder Springs, GA
30127



TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: ROSE MILLER

Printed at 03/04/26 15:28 by rmill-tj

Acct #: 110102

Ad #: 541330

Status: New WHOLD

CITY OF POWDER SPRINGS
KELLY AXT
PO BOX 46
POWDER SPRINGS GA 30073

Start: 03/06/2026 Stop: 03/06/2026
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.71 Words: 200
Total LEG 2.71
Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00
Ad Descrpt: PH-1374 4505 ATLANTA ST
Descr Cont: MDJ-1374 GPN-16 NOTICE OF
Given by: KERISHA BLACK
P.O. #: 4505 ATLANTA ST
Created: rmill 03/04/26 15:26
Last Changed: rmill 03/04/26 15:27

Contact:

Phone: (770)943-1666

Fax#:

Email: kaxt@powderspringsga.gov; PC

Agency:

PUB ZONE EDT TP RUN DATES
MDJ A 95 S 03/06

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

MDJ-1374
GPN-16
NOTICE OF PUBLIC HEARING
City of Powder Springs
SPECIAL USE

Notice is hereby given that a Special Use Request will be considered to allow an indoor recreational facility. Located at 4505 Atlanta St, within land lot 902, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19090200190. The application will be considered by the Planning and Zoning Commission at its work session on Thursday, March 12th, 2026, at 7:00 pm, and at its public hearing on Monday, March 23rd, 2026, at 7:00 pm and by the Mayor and Council at its work session on Wednesday, April 1st, 2026, at 5:00 pm and its public hearing on Monday, April 6th, 2026, at 7:00 pm. All meetings will be held at City Hall located at 4483 Pineview Dr, Powder Springs GA 30127. If applicable, Zoom links will be available at www.powder-springsga.gov.

Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing and to sign in 20 minutes prior to the scheduled public hearing at city hall.

3:6-2026



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 4505 Atlanta St.

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 February 27, 2026 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 March 2, 2026. 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.

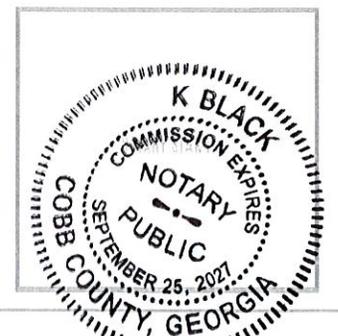
Notary Attestation

Executed in Powder Springs (City), GA (State)

[Signature] Adrea T. Dimmock 3.3.26
 Signature of Applicant Printed Name Date

Subscribed and sworn before me this 03 day of 03 month, 2026

[Signature] Kerisha Black 9/25/27
 Signature of Notary Public Name of Notary Public My Commission Expires



March 2nd, 2026

Andrea Thomas Dimmock
4505 Atlanta St
Powder Springs GA 30127

RE: Special Use to allow an indoor recreational facility. Located at 4505 Atlanta St, within land lot 902 on the 19th District, 2nd section, Cobb County Georgia. PIN: 19090200190.
Applicant: Andrea Thomas Dimmock

Dear Neighbors:

The application will be heard before the Planning and Zoning Commission, and Mayor and City Council on the following dates:

Planning and Zoning Commission: **Thursday, March 12th, 2026 at 7:00 PM** (Agenda Meeting) Planning and Zoning Commission: **Monday, March 23rd 23th, 2026** (Public Hearing) at 7:00 pm. Mayor and City Council: Wednesday **April 1st 2026 at 5pm** (Agenda Meeting)
Mayor and City Council: **Monday, April 6th, 2026** (Public Hearing) at 7:00 pm

Please visit our website at www.cityofpowdersprings.org for ZOOM links, physical meeting location details, and additional information and instructions. Any changes to our meetings will also be updated on our website.

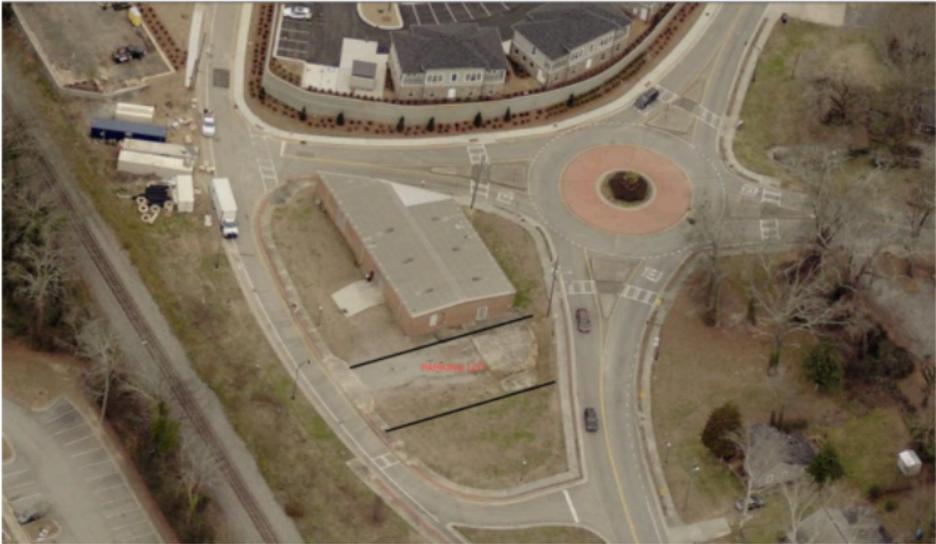
Should you have any questions please feel free to contact the City of Powder Springs at 770-9431666 extension 307, or email Kerisha Black kblack@cityofpowdersprines.org. At the City of Powder Springs.

Thank you,

Applicant

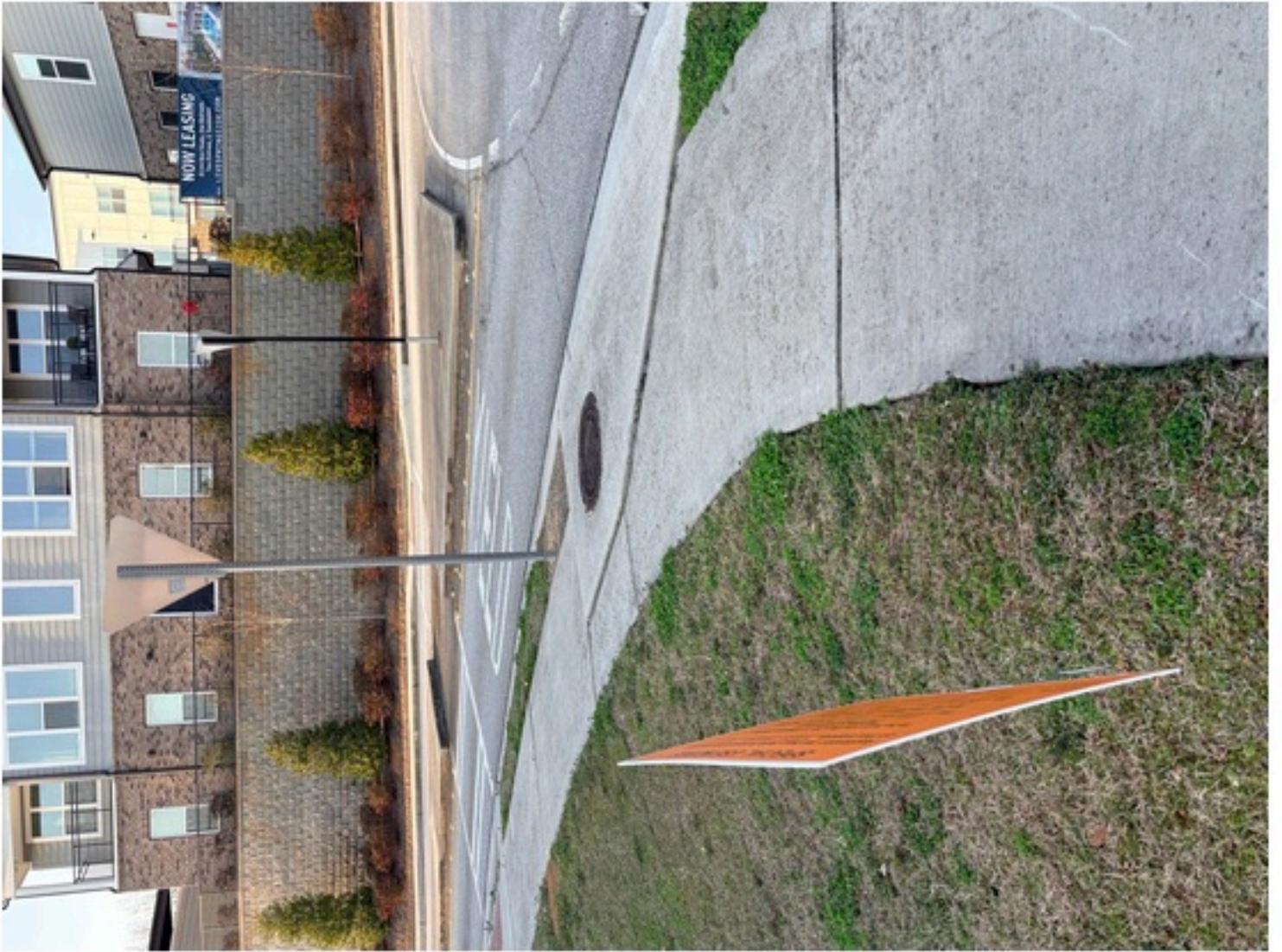
Exhibit 1: Site Plan













POWDER SPRINGS
 4644 POWDER SPRINGS DALLAS RD
 POWDER SPRINGS, GA 30127-9998
 www.usps.com

02/27/2026

04:39 PM

Product	Qty	Unit Price	Price
Colorado Sthd	8	\$0.78	\$6.24
Grand Total:			\$6.24
Debit Card Remit			\$6.24
Card Name: VISA			
Account #: XXXXXXXXXXXXXXX3880			
Approval #: 155900			
Transaction #: 231			
Receipt #: 092207			
Debit Card Purchase: \$6.24			
AID: A0000000980840 Contactless			
AL: US DEBIT			

Che...le...

TO REPORT AN ISSUE
 Visit <https://email.usps.com>

All hazardous labels/markings on reused boxes MUST be completely removed/obliterated if they no longer match the contents.

In a hurry? Self-service kiosks offer



city of powder springs

Special Use Request

Application Form

Applicant Information

Name Adrea Dimmock	Phone 6789739472
Mailing Address 4945 Crider Creek Cove Powder Springs GA 30127	Email adreathomas@gmail.com

Special Use Request Property Information

Address 4505 Atlanta St	Parcel ID / Lot# 19090200190	Acreage 0.338
Present Zoning C3 - Warehouse < 50,000SF	Special Use Request Commercial recreational facility, indoor	
Source of Water Supply County	Source of Sewage Disposal	
Peak Hour Trips Generated	Source of Trip Information	

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 _____ (City), _____ (State).

	Adrea Dimmock	2-20-20
Signature of Applicant	Printed Name	Date

Subscribed and sworn before me this **20th** day of **Febth** 20**20**

	Sarah P. Fermin	July 31, 2028
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



Special Use Request

Notice of Intent

Applicant Information

Name	Adrea Dimmock	Phone	6789739472
Mailing Address	4945 Crider Creek Cove Powder Springs GA 30127	Email	adreathomas@gmail.com

Notice of Intent

PART I. Please indicate the purpose of this application :

To obtain Special Use approval to operate a youth sports training and athletic academy within an existing commercial building in compliance with the City of Powder Springs Zoning Ordinance.

PART II. Please list all requested variances:

None. This application requests Special Use approval only and does not seek any zoning variances.

Part III. Existing use of subject property:

Warehouse / storage use within an existing commercial building currently underutilized.

Part IV. Proposed use of subject property:

Youth sports training and athletic academy providing structured basketball instruction, conditioning, and student-athlete development. Programming will include scheduled training sessions, small-group instruction, and supervised academic support for youth ages 8–18. The facility is designed to serve local families by offering accessible athletic development and mentorship within an existing commercial building.

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

The proposed use will provide structured youth athletic programming within an existing commercial building. Activities will be scheduled in organized time blocks to manage occupancy and parking. The project represents productive reuse of an underutilized space to serve local families & promote health and community.

Applicant Signature

	Adrea Dimmock	2/12/25
Signature of Applicant	Printed Name	Date



Special Use Request

Applicant's Written Analysis

Applicant Information

Name Adrea Dimmock	Phone 6789739472
Mailing Address 4945 Crider Creek Cove Powder Springs GA 30127	Email adreathomas@gmail.com

Written Analysis

In details please address these Special Use Criteria:

- a. Whether the proposed special use is consistent with the stated purpose of the zoning district in which it will be located.
The proposed youth sports training academy is consistent with the zoning district's purpose as it promotes productive commercial use of an existing building while providing a community-serving service.
- 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.
commercial use of an existing building while providing a community-serving service.
- c. Whether the location and character of the proposed special use are consistent with a desirable pattern of development in general.
Yes. The proposed use activates an existing commercial building with a structured, community-serving operation that aligns with desirable commercial development patterns.
- d. Whether the type of street providing access to the use is or will be adequate to serve the proposed special use.
Yes. The property is located on an established roadway with adequate access to support the proposed use and anticipated traffic.
- e. Whether access into and out of the property is or will be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles.
Yes. Existing access points are adequate to accommodate anticipated traffic flow while maintaining pedestrian safety and providing appropriate access for emergency vehicles.
- f. Whether public facilities such as schools, water or sewer utilities, and police or fire protection are or will be adequate to serve the use.

Yes. Existing public facilities and utilities, including water, sewer, police, and fire services, are adequate to serve the proposed use.

- g. Whether refuse, service, parking and loading areas on the property will be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor.

Yes. Refuse, service, parking, and loading areas will utilize existing facilities and will not create adverse impacts such as excessive noise, light, glare, or odor on surrounding properties.

- h. Whether the hours and manner of operation of the special use will have adverse effects on other properties in the area.

No. The proposed hours and structured manner of operation are not expected to create adverse effects on surrounding properties.

- i. Whether the height, size or location of the buildings or other structures on the property are or will be compatible with the height, size or location of buildings or other structures on neighboring properties.

Yes. No changes to the existing building height, size, or footprint are proposed, and the structure remains consistent with surrounding properties.



Special Use Request Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name Adrea Dimmock	Applicant's Address 4945 Crider Creek Cove Powder Springs GA 30127
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:

_____	_____
_____	_____
_____	_____
_____	_____

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
_____	_____	_____



city of powder springs

Special Use Request

Owner's Authorization Form

Owner's Authorization

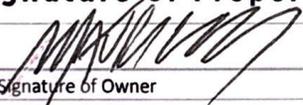
Applicant Name <u>Adrea Dimmock</u>	Applicant's Address <u>4945 CriderCreek Cove Powder Springs 30127</u>
Property Address <u>4505 Atlanta St SW</u> Powder Springs, GA	Property PIN _____

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 type="checkbox"/>	Special Use <input checked="" 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"/>

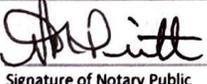
Signature of Property Owner(s)

	<u>Franklin M. Ruiz F</u>	<u>02/17/2026</u>
Signature of Owner	Printed Name	Date

State of GA, County of DeKalb

This instrument was acknowledged before me this 17 day of February month.

20 26, by Franklin M. Ruiz F Identification Presented: ID

	<u>Natasha Pruitt</u>	<u>May 17, 2026</u>
Signature of Notary Public	Name of Notary Public	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 4505 Atlanta St SW

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 March 12, 2024. 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.

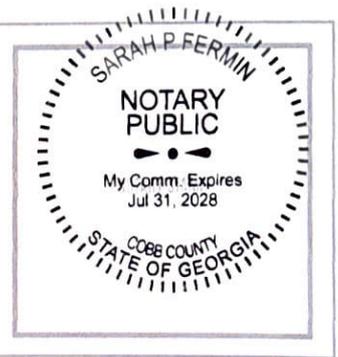
Notary Attestation

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

[Signature] Adrea Dimmett 2.20.26
Signature of Applicant Printed Name Date

Subscribed and sworn before me this 20th day of Feb, 2026

[Signature] Sarah P. Fermin July 31, 2028
Signature of Notary Public Name of Notary Public My Commission Expires



Staff Report for Thursday March 12th, 2026

To: Planning & Zoning Commission

From: JoAnna Robinson

Subject: Special Use at 4505 Atlanta St SW

Subject Property: 4505 Atlanta St SW

Parcel Number and Description: 19090200190

LL902, 19th District, 2nd Sec, Cobb County 0.34 acres

Zoning: CBD (Commercial Business District)

Applicant requests to obtain Special Use approval to operate a youth basketball sports training and athletic academy in the subject property.

Background:

Subject property is a building that was built in 1910 and is approximately 5,790 sq ft. This property was rezoned by the City of Powder Springs from LI to CBD in 2014. The purpose of this was to be consistent with the Future Land Use Map (FLUM) which was made in 2006. At first this building was a

What Applicant is proposing: Youth sports training and athletic academy providing structured basketball instruction, conditioning, and student-athlete development. Programming will include scheduled training sessions, small-group instruction, and supervised academic support for youth ages 8-18. The facility is designed to serve local families by offering accessible athletic development and mentorship within an existing commercial building.

Questions that were asked of Applicant: (on email)

1. Portion of building dedicated to proposed activities?

The intent is to utilize the majority of the building (approximately 5,500–5,790 square feet) for the proposed use. The space will include an indoor basketball training court, conditioning and stretching areas, a small media/study area for homework and student-athlete programming, limited spectator viewing, and ancillary office and storage space. No residential use is proposed.

2. Sports disciplines offered?

The primary discipline offered will be basketball training, including skills development,

conditioning, agility training, camps, clinics, and instructional programming. No contact sports or league-style competitions are proposed at this time.

3. Anticipated occupancy?

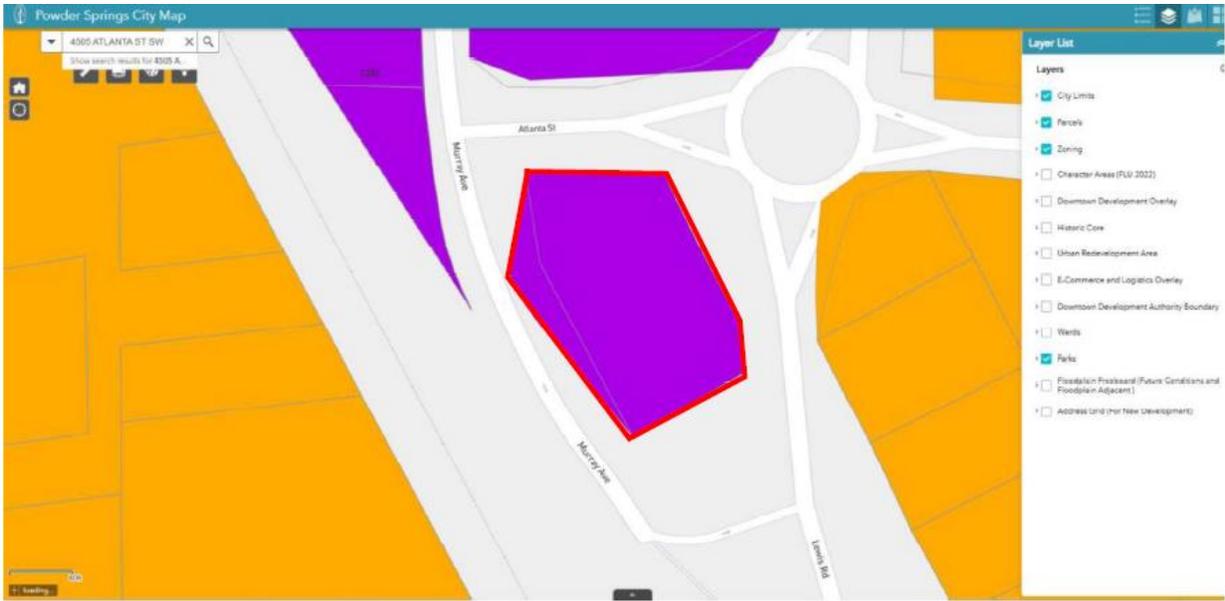
Occupancy will be program-based and controlled, with typical attendance expected to range between 20–40 participants at a time, inclusive of athletes, coaches, and limited spectators. All activities will comply with applicable building, fire, and occupancy requirements as determined by the City.

4. Proposed days and hours of operation?

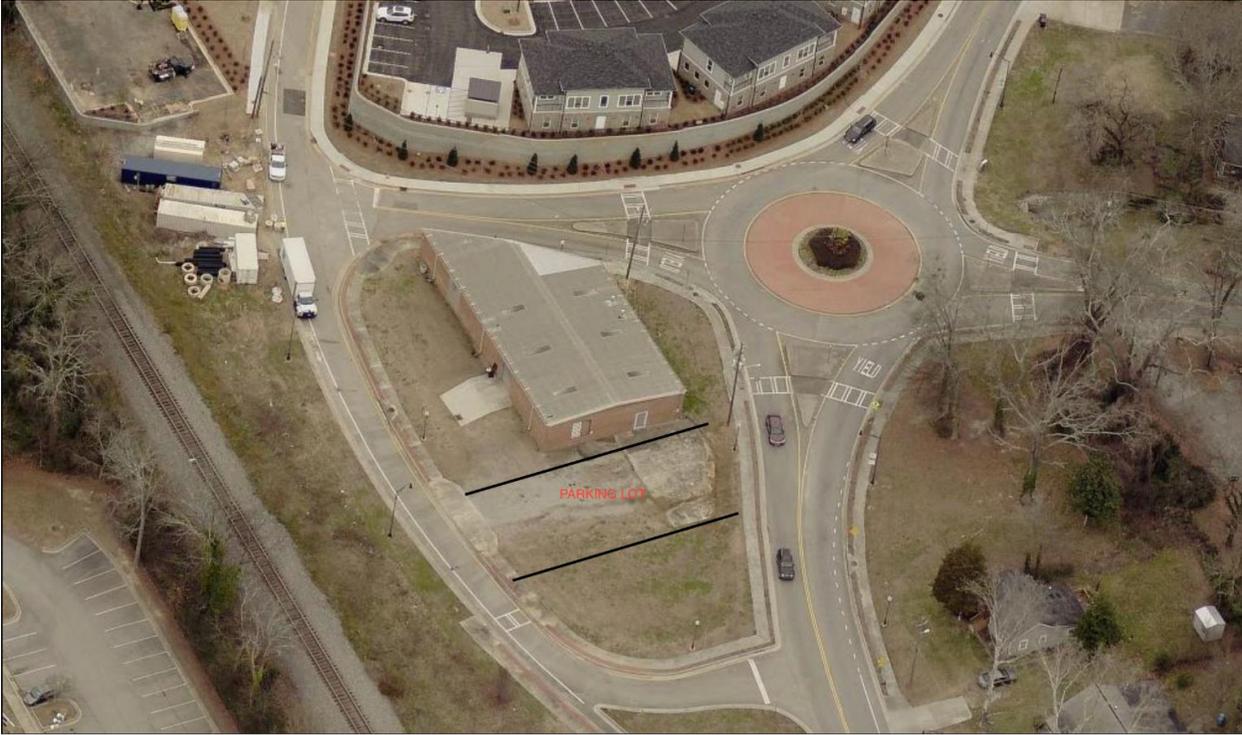
Proposed hours of operation are 7:00 AM – 10:00 PM, seven (7) days per week. These extended hours are intended to accommodate the varying schedules of student-athletes and families, including before-school training, after-school programming, and evening sessions. Based on our experience working with youth and families, this flexibility is necessary to meet community demand. Actual usage may vary by day and program.

5. Age groups served?

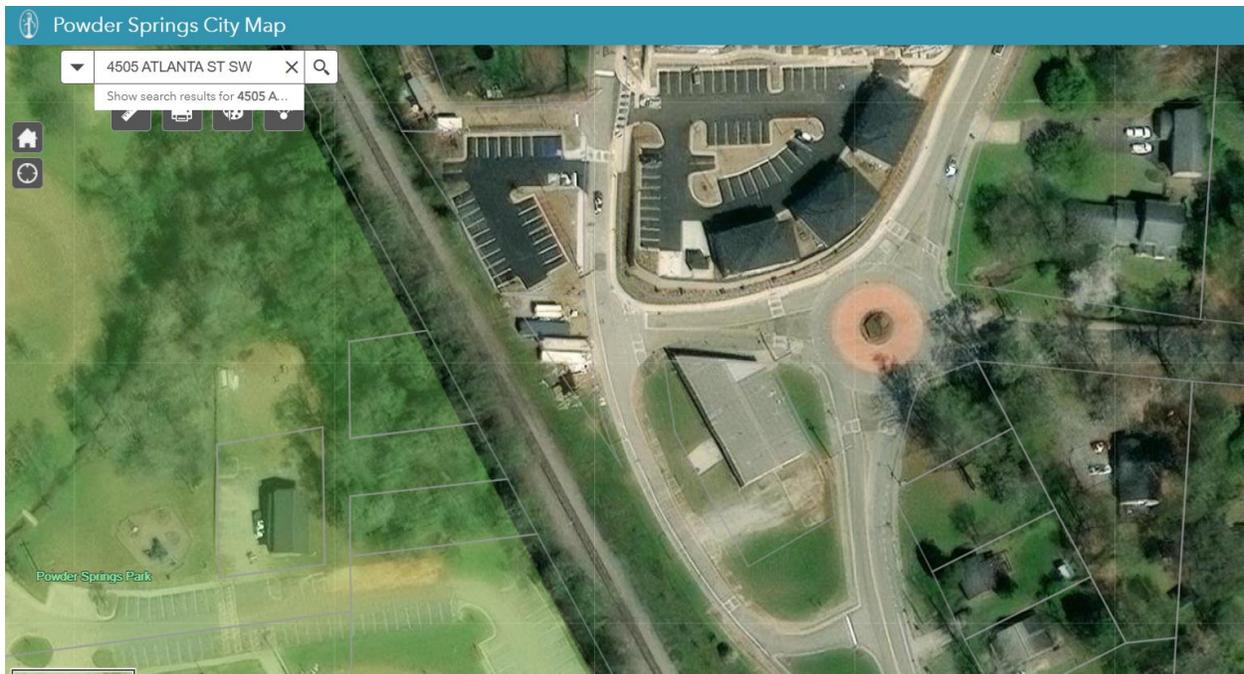
The academy will primarily serve youth and student-athletes approximately ages 8–18, with occasional programming or clinics for young adults.



Parking Lot of Subject Property



Overhead view of surrounding properties



Written Analysis (Applicant's Responses)

- a. Whether the proposed special use is consistent with the stated purpose of the zoning district in which it will be located. **The proposed youth sports training academy is consistent with the zoning district's purpose as it promotes productive commercial use of an existing building while providing a community-serving service.**
- 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. **Commercial use of an existing building while providing a community-serving service.**
- c. Whether the location and character of the proposed special use are consistent with a desirable pattern of development in general. **Yes. The proposed use activates an existing commercial building with a structured, community-serving operation that aligns with desirable commercial development patterns.**
- d. Whether the type of street providing access to the use is or will be adequate to serve the proposed special use. **Yes. The property is located on an established roadway with adequate access to support the proposed use and anticipated traffic.**

- e. Whether access into and out of the property is or will be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles. **Yes. Existing access points are adequate to accommodate anticipated traffic flow while maintaining pedestrian safety and providing appropriate access for emergency vehicles.**

- f. Whether public facilities such as schools, water or sewer utilities, and police or fire protection are or will be adequate to serve the use. **Yes. Existing public facilities and utilities, including water, sewer, police, and fire services, are adequate to serve the proposed use.**



City of Powder Springs

Staff Report

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

3/12/2026



**city of
powder springs**

Rezoning Request

Application Checklist

Applicant Information

Name Traton, LLC	Phone (770) 427-9064; (770) 429-1499
Mailing Address 720 Kennesaw Avenue; Marietta, GA 30060	Email rparvey@tratonhomes.com; jkm@mijs.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: Elevations depicting proposed homes and architectural modifications; Constitutional Challenge

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 Traton, LLC	Phone (770) 427-9064; (770) 429-1499
Mailing Address 720 Kennesaw Avenue; Marietta, GA 30060	Email rparvey@tratonhomes.com; jkm@mijs.com

Rezoning Request Property Information

Address See Exhibit "B"	Parcel ID / Lot# See Exhibit "B"	Acreage 11.579+/-
Present Zoning PUD-R, with stipulations	Proposed Zoning PUD-R, with stipulations	
Source of Water Supply Cobb County Water System	Source of Sewage Disposal Cobb County Water System	
Proposed Use Peak Hour Trips Generated	Source	

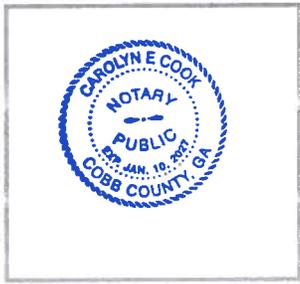
Additional Information, If Applicable

Elementary School and School's Capacity Powder Springs Elementary School - 91% capacity	Middle School and School's Capacity Cooper Middle School - 91% capacity
High School and School's Capacity McEachern High School - 94% capacity	

Notary Attestation

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

BY: 	<u>J. Kevin Moore</u>	<u>February 24, 2026</u>
<small>Signature of Applicant</small>	<small>Printed Name</small>	<small>Date</small>
Attorneys for Applicant and Property Owner		
<small>Subscribed and sworn before me this <u>24th</u> day of <u>February</u>, 2026</small>		
	<u>Carolyn E. Cook</u>	<u>January 10, 2027</u>
<small>Signature of Notary Public</small>	<small>Name of Notary Public</small>	<small>My Commission Expires</small>



See Exhibit "A" for Applicant's and Property Owner's Representative Information For Official Use Only

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



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

Applicant Information

Name Traton, LLC	Phone (770) 427-9064; (770) 429-1499
Mailing Address 720 Kennesaw Avenue; Marietta, GA 30060	Email rparvey@tratonhomes.com; jkm@mijs.com

Notice of Intent

PART I. Please indicate the purpose of this application :

The purpose of this Application for Rezoning is to seek amendments to certain stipulations approved in the original Application for Rezoning, being PZ 22-003.

PART II. Please list all requested variances:

None known at this time.

Part III. Existing use of subject property:

Infrastructure, lot layout, and construction of an approved townhome community.

Part IV. Proposed use of subject property:

Townhome Community.

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

Applicant Signature

BY: 	Traton, LLC / J. Kevin Moore	February 24, 2026
Signature of Applicant	Printed Name	Date

Attorneys for Applicant and Property Owner



Rezoning Request

Applicant's Written Analysis

Applicant Information

Name **Traton, LLC**

Phone **(770) 427-9064; (770) 429-1499**

Mailing Address **720 Kennesaw Avenue; Marietta, GA 30060**

Email **rparvey@tratonhomes.com; jkm@mijs.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.

The proposed changes to underlying zoning conditions are consistent with the Future Land Use Plan and Comprehensive Plan of the City as same do not seek to change the approved use, spirit, and intent of the development.

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.

The proposed changes to the underlying zoning conditions are permitted within the approved zoning district and are suitable in view of zoning and development of adjacent and nearby property as the proposed changes simply request architectural revisions that nevertheless remain consistent with the surrounding area.

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.

The existing use and useability of adjacent and nearby property will not be adversely affected by the minor changes in underlying conditions requested by Applicant.

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

Current underlying zoning conditions related to significant architectural requirements have resulted in a development that is substantially underperforming. The proposed changes are necessary to meet market demands and expectations.

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.

Public facilities are adequate to serve the proposed community as the requested changes in underlying conditions will have no effect whatsoever on public facilities and the provision of same.

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 changes in underlying zoning conditions are supported by changing conditions in the marketplace which were not anticipated at the time of original zoning approval, resulting in a significantly underperforming development.

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.

The proposed changes in underlying zoning conditions reflect a reasonable balance of the public welfare and the ultimate success of the development inasmuch as the requested architectural changes are relatively minor aesthetically, but if approved, would have a significant impact on the marketability of the homes.

Applicant Signature

BY:  Traton, LLC/J. Kevin Moore February 24, 2026
Signature of Applicant Printed Name Date

Attorneys for Applicant and Property Owner

Form Version: 06152020



city of powder springs

Rezoning Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name Traton, LLC

Applicant's Address 720 Kennesaw Avenue; Marietta, GA 30060

Applicant's Attorney J. Kevin Moore; Moore Ingram Johnson & Steele, LLP

Attorney's Address Suite 100, 326 Roswell Street; Marietta, GA 30060

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

X - Limited Liability Company

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:

Lewis Road Development, LLC

Traton, LLC

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
None		

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
None		



city of powder springs
Rezoning Request
 Owner's Authorization Form

Owner's Authorization

Applicant Name <u>Traton, LLC</u>	Applicant's Address <u>720 Kennesaw Avenue; Marietta, GA 30060</u>
Property Address <u>See Exhibit "B"</u> Powder Springs, GA	Property PIN <u>See Exhibit "B"</u>

This is to certify that I am or We are or I am the Authorized Representative of a ~~corporation~~ limited liability company 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:

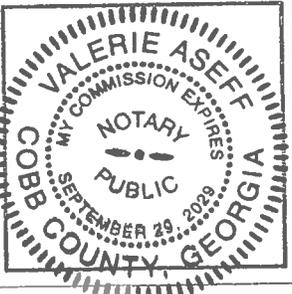
Rezoning <input checked="" type="checkbox"/>	Special Use <input type="checkbox"/>	Hardship Variance <input type="checkbox"/>
Special Exception <input type="checkbox"/>	Flood Protection Variance <input type="checkbox"/>	Appeal of Administrative Decision <input type="checkbox"/>

Signature of Property Owner(s)

Lewis Road Development, LLC
 BY: [Signature] William C. Poston, Jr. February 18, 2026
 Signature of Owner Authorized Signatory Printed Name Date

State of GA, County of Cobb.
 This instrument was acknowledged before me this 18th day of February month, 2026, by William C. Poston, Jr. Identification Presented: Personally Known

<u>[Signature]</u> Signature of Notary Public	<u>Valerie Aseff</u> Name of Notary Public	<u>9/29/29</u> 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	

EXHIBIT "A" – ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Planning Commission Hearing: **March 23, 2026**
Mayor and City Council Hearing: **April 6, 2026**

Applicant: **Traton, LLC**
Titleholder: **Lewis Road Development, LLC**

Applicant's and Property Owner's Representative:

J. Kevin Moore, Esq.
Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook, Suite 100
326 Roswell Street
Marietta, Georgia 30060
(770) 429-1499 (Office)
(770) 429-8631 (Telefax)
E-mail: jkm@mijs.com

EXHIBIT "B"

Parcel ID	Owner	Property Address	Notification Date	Neighborhood	Subdivision	Map
19104900130	LEWIS ROAD DEVELOPMENT LLC	4603 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900140	LEWIS ROAD DEVELOPMENT LLC	4607 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900150	LEWIS ROAD DEVELOPMENT LLC	4611 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900160	LEWIS ROAD DEVELOPMENT LLC	4615 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900170	LEWIS ROAD DEVELOPMENT LLC	4619 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900180	LEWIS ROAD DEVELOPMENT LLC	4623 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900190	LEWIS ROAD DEVELOPMENT LLC	4627 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900200	LEWIS ROAD DEVELOPMENT LLC	4631 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900210	LEWIS ROAD DEVELOPMENT LLC	4635 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900220	LEWIS ROAD DEVELOPMENT LLC	4639 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900230	LEWIS ROAD DEVELOPMENT LLC	4643 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900240	LEWIS ROAD DEVELOPMENT LLC	4647 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900310	LEWIS ROAD DEVELOPMENT LLC	4675 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900320	LEWIS ROAD DEVELOPMENT LLC	4679 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900330	LEWIS ROAD DEVELOPMENT LLC	4683 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900340	LEWIS ROAD DEVELOPMENT LLC	4687 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900350	LEWIS ROAD DEVELOPMENT LLC	4691 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900360	LEWIS ROAD DEVELOPMENT LLC	4695 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900370	LEWIS ROAD DEVELOPMENT LLC	4699 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900380	LEWIS ROAD DEVELOPMENT LLC	4703 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900390	LEWIS ROAD DEVELOPMENT LLC	4707 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900400	LEWIS ROAD DEVELOPMENT LLC	4711 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900410	LEWIS ROAD DEVELOPMENT LLC	4715 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900420	LEWIS ROAD DEVELOPMENT LLC	4719 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900430	LEWIS ROAD DEVELOPMENT LLC	4723 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900440	LEWIS ROAD DEVELOPMENT LLC	4727 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900450	LEWIS ROAD DEVELOPMENT LLC	4731 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900460	LEWIS ROAD DEVELOPMENT LLC	4735 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900470	LEWIS ROAD DEVELOPMENT LLC	4739 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900480	LEWIS ROAD DEVELOPMENT LLC	4743 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map

Parcel ID	Owner	Property Address	Notification Date	Neighborhood	Subdivision	Map
19104900490	LEWIS ROAD DEVELOPMENT LLC	4747 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900500	LEWIS ROAD DEVELOPMENT LLC	4751 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900510	LEWIS ROAD DEVELOPMENT LLC	4755 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900520	LEWIS ROAD DEVELOPMENT LLC	4759 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900530	LEWIS ROAD DEVELOPMENT LLC	4752 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900540	LEWIS ROAD DEVELOPMENT LLC	4748 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900550	LEWIS ROAD DEVELOPMENT LLC	4744 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900560	LEWIS ROAD DEVELOPMENT LLC	4740 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900570	LEWIS ROAD DEVELOPMENT LLC	4736 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900600	LEWIS ROAD DEVELOPMENT LLC	4732 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900610	LEWIS ROAD DEVELOPMENT LLC	4728 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900620	LEWIS ROAD DEVELOPMENT LLC	4581 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900630	LEWIS ROAD DEVELOPMENT LLC	4577 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900640	LEWIS ROAD DEVELOPMENT LLC	4573 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900650	LEWIS ROAD DEVELOPMENT LLC	4569 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900660	LEWIS ROAD DEVELOPMENT LLC	4565 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900670	LEWIS ROAD DEVELOPMENT LLC	4561 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900740	LEWIS ROAD DEVELOPMENT LLC	4638 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900750	LEWIS ROAD DEVELOPMENT LLC	4634 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900760	LEWIS ROAD DEVELOPMENT LLC	4630 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900770	LEWIS ROAD DEVELOPMENT LLC	4626 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900780	LEWIS ROAD DEVELOPMENT LLC	4622 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900790	LEWIS ROAD DEVELOPMENT LLC	4618 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900800	LEWIS ROAD DEVELOPMENT LLC	LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900810	LEWIS ROAD DEVELOPMENT LLC	LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map

Ownership and characteristic data are the most current information available. All appraised/assessed values are as of Jan 1, 2026.
[User Privacy Policy](#) | [GDPR Privacy Notice](#)
 Last Data Upload: 2/23/2026, 7:56:12 AM

[Contact Us](#)

Developed by
 SCHNEIDER
 GEOSPATIAL

Subject Property: Oglesby Rd and Lewis Rd (Wildwood Place)

Parcel Number and Description: Land Lots 1024, 1049 and 1050, 19th District, Approximately 12.7 acres

Zoning: PUD-R

Applicant requests a change in zoning conditions.

Background:

These parcels were rezoned from CRC to PUD-R September 19, 2022. (PZ22-003)

This neighborhood is called Wildwood Place and they have been building for about 2 years now. These are 3-story townhomes with 2 car garages that are located in the back of the townhome.

As a note: We have granted 2 Variances already. The first being the tree canopy. They were able to waive the 75% of existing tree canopy. The second being a variance to allow minimum horizontal road centerline radius of 37 feet.

What Applicant is Proposing: To seek amendments to certain stipulations approved in the original application for rezoning being PZ22-003.

Revision to approved stipulation to allow for rear entry homes to have a one-car garage. (#7 on stipulations from rezoning)

Per our UDC 2-15 (f.)

https://library.municode.com/ga/powder_springs/codes/unified_development_code?nodeId=ART2ZODIOFZOMA_DIVIIREZODI_S2-15PPLUNDEES

PUD must have a 2-car garage. ALSO, per final plat, “No street parking has been approved for this development.”

Wildwood Place Subdivision





New Proposal (Top) Original Proposal (Bottom)

Written Analysis (Applicant's Responses)

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.

The proposed changes to underlying zoning conditions are consistent with the Future Land Use Plan and Comprehensive Plan of the City as same do not seek to change the approved use, spirit, and intent of the development.

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.

The proposed changes to the underlying zoning conditions are permitted within the approved zoning district and are suitable in view of zoning and development of adjacent and nearby property as the proposed changes simply request architectural revisions that nevertheless remain consistent with the surrounding area.

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.

The existing use and useability of adjacent and nearby property will not be adversely affected by the minor changes in underlying conditions requested by Applicant.

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

Current underlying zoning conditions related to significant architectural requirements have resulted in a development that is substantially underperforming. The proposed changes are necessary to meet market demands and expectations.

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.

Public facilities are adequate to serve the proposed community as the requested changes in underlying conditions will have no effect whatsoever on public facilities and the provision of same.

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 changes in underlying zoning conditions are supported by changing conditions in the marketplace which were not anticipated at the time of original zoning approval, resulting in a significantly underperforming development.

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. The proposed changes in underlying zoning conditions reflect a reasonable balance of the public welfare and the ultimate success of the development inasmuch as the requested architectural changes are relatively minor aesthetically, but if approved, would have a significant impact on the marketability of the homes.











TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: ROSE MILLER

Printed at 03/04/26 15:22 by rmill-tj

Acct #: 110102

Ad #: 541319

Status: New WHOLD

CITY OF POWDER SPRINGS
KELLY AXT
PO BOX 46
POWDER SPRINGS GA 30073

Start: 03/06/2026 Stop: 03/06/2026
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.79 Words: 200
Total LEG 2.79
Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00
Ad Descrpt: PH-1372 WILDWOOD PL
Descr Cont: MDJ-1372 GPN-16 NOTICE OF
Given by: KERISHA BLACK
P.O. #: WILDWOOD PL
Created: rmill 03/04/26 14:59
Last Changed: rmill 03/04/26 15:22

Contact:

Phone: (770)943-1666

Fax#:

Email: kaxt@powderspringsga.gov; PC

Agency:

PUB ZONE EDT TP RUN DATES
MDJ A 95 S 03/06

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

MDJ-1372
GPN-16
NOTICE OF PUBLIC HEARING
City of Powder Springs
REZONING - CHANGE IN
ZONING CONDITIONS

Notice is hereby given of an application to consider a change in rezoning conditions. The property is located at the intersection of Twinberry Dr and Lewis Rd, Within land lot 094, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19104900810. The application will be considered by the Planning and Zoning Commission at its work session on Thursday, March 12th, 2026, at 7:00 pm, at its public hearing on Monday, March 23rd, 2026, at 7:00 pm, and by the Mayor and Council at its work session on Wednesday, April 1st, 2026, at 5:00 pm and its public hearing on Monday, April 6th, 2026, at 7:00 pm. All meetings will be held at City Hall located at 4483 Pineview Dr, Powder Springs GA 30127. If applicable, Zoom links will be available at www.powderspringsga.gov. Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing and to sign in 20 minutes prior to the scheduled public hearing at city hall.

3:6-2026



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 Lewis Road (Wildwood Place)

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 March 5, 2026. 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 March 6, 2026. 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.

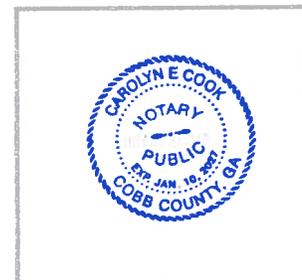
Notary Attestation

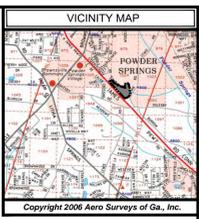
Executed in Marietta (City), GA (State).


 Signature of Applicant J. Kevin Moore Printed Name March 9, 2026 Date

Subscribed and sworn before me this 6th day of March, 2026.


 Signature of Notary Public Carolyn E. Cook Name of Notary Public January 10, 2027 My Commission Expires





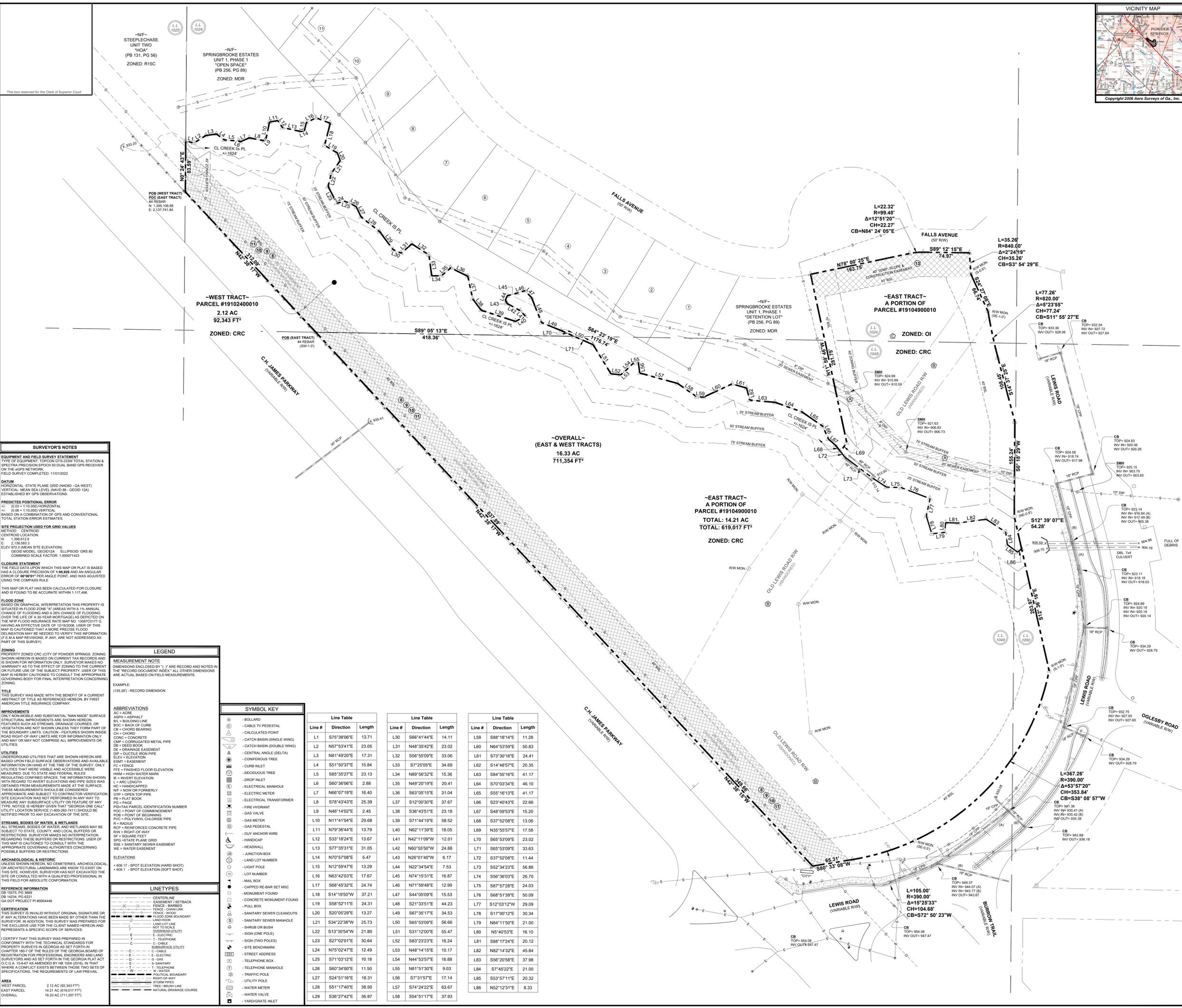
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STATE PLANE GRID

 GA WEST
 NORTH ARROW

PREPARED FOR
LEWIS ROAD DEVELOPMENT, LLC; SWOF TRATON LEWIS ROAD, LLC; PIEDMONT BANK; & FIRST AMERICAN TITLE INSURANCE COMPANY

ALTA SURVEY
 SITUATED IN
**LAND LOTS 1024, 1049 & 1050
 19TH DISTRICT - 2ND SECTION
 COBB COUNTY, GEORGIA**



SURVEYOR'S NOTES

EQUIPMENT AND FIELD SURVEY STATEMENT
 TYPE OF EQUIPMENT: TOPCON GT-533W TOTAL STATION & SPECTRA PRECISION EPOCH 60 DUAL BAND GPS RECEIVER ON THE GSPS NETWORK
 FIELD SURVEY COMPLETED: 11/01/2022

DATUM
 HORIZONTAL: STATE PLANE GRID (NAD83 - GA WEST)
 VERTICAL: MEAN SEA LEVEL (NAVD83 - GEOD 12A)
 ESTABLISHED BY GPS OBSERVATIONS

PREDICTED POSITIONAL ERROR
 H: (0.03 + 1.10,000) HORIZONTAL
 V: (0.04 + 1.10,000) VERTICAL
 BASED ON A COMBINATION OF GPS AND CONVENTIONAL TOTAL STATION ERROR ESTIMATES

SITE PROJECTION USED FOR GRID VALUES
 METHOD: CENTROID
 CENTROID LOCATION:
 N: 1,398,812.4
 E: 2,158,563.3
 ELEV: 972.0 (MEAN SITE ELEVATION)
 GEOD MODEL: GEOD12A ELLIPSOID: GRS 80
 COMBINED SCALE FACTOR: 1.00074223

CLOSURE STATEMENT
 THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS A CLOSURE PRECISION OF 1:88,800 AND AN ANGULAR ERROR OF 60"/100" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.

FLOOD ZONE
 BASED ON GRAPHICAL INTERPRETATION THIS PROPERTY IS SITUATED IN FLOOD ZONE "A" (AREAS WITH A 1% ANNUAL CHANCE OF FLOODING AND A 20% CHANCE OF FLOODING OVER THE LIFE OF A 30-YEAR MORTGAGE), AS DEPICTED ON THE NFIP FLOOD INSURANCE RATE MAP NO. 130670177 G, HAVING AN EFFECTIVE DATE OF 10/30/2008. USERS OF THIS MAP IS CAUTIONED THAT A MORE PRECISE FLOOD DETERMINATION MAY BE NEEDED TO VERIFY THIS INFORMATION. IF E.M.A. MAP REVISIONS, IF ANY, ARE NOT ADDRESSED AS PART OF THIS SURVEY.

ZONING
 PROPERTY ZONED CRC (CITY OF POWDER SPRINGS. ZONING HEREIN IS BASED ON CURRENT TAX RECORDS AND IS SHOWN FOR INFORMATION ONLY. SURVEYOR MAKES NO WARRANTY AS TO THE EFFECT OF ZONING TO THE CURRENT OR FUTURE USE OF THE SUBJECT PROPERTY. USER OF THIS MAP IS HEREBY CAUTIONED TO CONSULT THE APPROPRIATE GOVERNING BODY FOR FINAL INTERPRETATION CONCERNING ZONING.

TITLE
 THIS SURVEY WAS MADE WITH THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AS REFERENCED HEREIN, BY FIRST AMERICAN TITLE INSURANCE COMPANY.

IMPROVEMENTS
 ONLY NON-MOBILE AND SUBSTANTIAL "MAN MADE" SURFACE STRUCTURAL IMPROVEMENTS ARE SHOWN HEREON. FEATURES SUCH AS STREAMS, DRAINAGE COVERS, OR VEGETATION ARE NOT SHOWN UNLESS THEY FORM PART OF THE BOUNDARY LIMITS. CAUTION - FEATURES SHOWN INSIDE ROAD RIGHT-OF-WAY LIMITS ARE FOR INFORMATION ONLY AND MAY OR MAY NOT COMPRISE ALL IMPROVEMENTS OR UTILITIES.

UTILITIES
 UNDERGROUND UTILITIES THAT ARE SHOWN HEREON ARE BASED UPON FIELD SURFACE OBSERVATIONS AND AVAILABLE INFORMATION ON HAND AT THE TIME OF THE SURVEY. ONLY UTILITIES THAT WERE VISIBLE AND ACCESSIBLE WERE MEASURED. DUE TO STATE AND FEDERAL RULES REGULATING CONFINED SPACES, THE INFORMATION SHOWN WITH REGARD TO INVERT ELEVATIONS AND PIPE SIZES WAS OBTAINED FROM MEASUREMENTS MADE AT THE SURFACE. THESE MEASUREMENTS SHOULD BE CONSIDERED APPROXIMATE AND SUBJECT TO CONTRACT VERIFICATION. SITE EXCAVATION WAS NOT PERFORMED IN ANY WAY TO MEASURE ANY SUBSURFACE UTILITY OR FEATURE OF ANY TYPE. NOTICE IS HEREBY GIVEN THAT "GEORGIA ONE CALL" UTILITY LOCATION SERVICE (1-800-251-7411) SHOULD BE NOTIFIED PRIOR TO ANY EXCAVATION OF THE SITE.

STREAMS, BODIES OF WATER, & WETLANDS
 ALL STREAMS, BODIES OF WATER, AND WETLANDS MAY BE SUBJECT TO STATE, COUNTY, AND LOCAL REGULATIONS. RESTRICTIONS, SURVEYOR MAKES NO INTERPRETATION REGARDING THESE BUFFERS OR RESTRICTIONS. USER OF THIS MAP IS CAUTIONED TO CONSULT WITH THE APPROPRIATE GOVERNING AUTHORITIES CONCERNING POSSIBLE BUFFERS OR RESTRICTIONS.

ARCHAEOLOGICAL & HISTORIC
 UNLESS SHOWN HEREON, NO CEMETERIES, ARCHAEOLOGICAL OR ARCHITECTURAL LANDMARKS ARE KNOWN TO EXIST ON THIS SITE. HOWEVER, SURVEYOR HAS NOT EXCAVATED THE SITE OR CONSULTED WITH A QUALIFIED PROFESSIONAL IN THIS FIELD FOR ABSOLUTE CONFORMATION.

REFERENCE INFORMATION
 DE 1552, PG 369
 DR 1424, PG 521
 GA DOT PROJECT #1 80034449

CERTIFICATION
 THIS SURVEY IS INVALID WITHOUT ORIGINAL SIGNATURE OR IF ANY ALTERATIONS HAVE BEEN MADE BY OTHER THAN THE SURVEYOR. IN ADDITION, THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE FOR THE CLIENT NAMED HEREON AND REPRESENTS A SPECIFIC SCOPE OF SERVICES.

CERTIFY THAT THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-4-47 AS AMENDED BY HB 104 (2016). IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.

AREA
 WEST PARCEL: 2.12 AC (92,343 FT²)
 EAST PARCEL: 14.21 AC (619,017 FT²)
 OVERALL: 16.33 AC (711,357 FT²)

LEGEND

MEASUREMENT NOTE
 DIMENSIONS ENCLOSED BY "1" ARE RECORDED AND NOTED IN THE "RECORD DOCUMENT INDEX". ALL OTHER DIMENSIONS ARE ACTUAL BASED ON FIELD MEASUREMENTS.

EXAMPLE:
 (135.28) - RECORD DIMENSION

ABBREVIATIONS

AC = ACRE
 ASPH = ASPHALT
 BL = BUILDING LINE
 BCL = BACK OF CURB
 CB = CHORD BEARING
 CH = CHORD
 CONC = CONCRETE
 COP = CORRUGATED METAL PIPE
 DB = DEED BOOK
 DE = DRAINAGE EASEMENT
 DIP = DUCTILE IRON PIPE
 ELEV = ELEVATION
 ESM = EASEMENT
 FC = FENCE
 FEE = FINISHED FLOOR ELEVATION
 HW = HIGH WATER MARK
 I = INVERT ELEVATION
 L = ARC LENGTH
 HC = HANDICAPPED
 NF = NOW OR FORMERLY
 ODP = OPEN TOP PIPE
 PG = PLAT BOOK
 PID-TAX PARCEL IDENTIFICATION NUMBER
 POC = POINT OF COMMENCEMENT
 POF = POINT OF BEGINNING
 PVC = POLYVINYL CHLORIDE PIPE
 R = RADIIUS
 RCP = REINFORCED CONCRETE PIPE
 RW = RIGHT-OF-WAY
 SF = SQUARE FEET
 SPP = STATE PLANE GRID
 SSE = SANITARY SEWER EASEMENT
 WSE = WATER EASEMENT

SYMBOL KEY

• BOLLARD
 • CABLE TYPED
 • CALCULATED POINT
 • CATCH BASIN (SINGLE WING)
 • CATCH BASIN (DOUBLE WING)
 • CENTRAL ANGLE (DELTA)
 • CONIFEROUS TREE
 • CURB INLET
 • DECIDUOUS TREE
 • DROP-INLET
 • ELECTRICAL MANHOLE
 • ELECTRIC METER
 • ELECTRICAL TRANSFORMER
 • FIRE HYDRANT
 • GAS VALVE
 • GAS METER
 • GAS PEDESTAL
 • GUY ANCHOR WIRE
 • HANDICAP
 • HEADLAND
 • JUNCTION BOX
 • LAND LOT NUMBER
 • LIGHT POLE
 • LOT NUMBER
 • MAIL BOX
 • CAPPED RE-BAR SET MISC
 • MONUMENT FOUND
 • CONCRETE MONUMENT FOUND
 • PULL BOX
 • SANITARY SEWER CLEANOUTS
 • SANITARY SEWER MANHOLE
 • SHRUB OR BUSH
 • SIGN (ONE POLE)
 • SIGN (TWO POLES)
 • SITE BENCHMARK
 • STREET ADDRESS
 • TELEPHONE BOX
 • TELEPHONE MANHOLE
 • TRAFFIC POLE
 • UTILITY POLE
 • WATER METER
 • WATER VALVE
 • WARDGRATE INLET

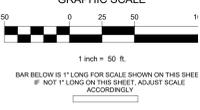
LINE TYPES

--- CENTERLINE
 --- EASEMENT SETBACK
 --- FENCE - BARBED
 --- FENCE - CHAIN LINK
 --- FENCE - WOOD
 --- FLOOD ZONE BOUNDARY
 --- LAND LOCK
 --- LAND LOT LINE
 --- NOT TO SCALE
 --- OVERLAP UTILITY
 --- E - ELECTRIC
 --- T - TELEPHONE UTILITY
 --- C - CABLE
 --- S - SANITARY
 --- G - GAS
 --- W - WATER
 --- T - TELEPHONE
 --- M - MISC
 --- POLITICAL BOUNDARY
 --- RIGHT-OF-WAY
 --- STORM PIPES
 --- TRAIL BOUNDARY
 --- NATURAL DRAINAGE COURSE

Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length
L1	S75°38'06"E	13.71	L30	S66°41'44"E	14.11	L59	S88°18'14"E	11.28
L2	N57°53'41"E	23.05	L31	N48°35'42"E	23.02	L60	N64°53'59"E	50.83
L3	N81°49'20"E	17.31	L32	S56°50'09"E	33.06	L61	S73°30'16"E	24.41
L4	S51°50'37"E	15.84	L33	S7°25'05"E	34.69	L62	S14°48'57"E	20.35
L5	S85°35'27"E	23.13	L34	N89°56'32"E	15.36	L63	S84°55'16"E	41.17
L6	S60°36'06"E	2.88	L35	N49°20'19"E	20.41	L64	S70°03'34"E	46.10
L7	N66°07'19"E	16.40	L36	S63°05'15"E	31.04	L65	S55°16'13"E	41.17
L8	S78°43'43"E	25.39	L37	S12°00'30"E	37.67	L66	S23°40'43"E	22.66
L9	N46°14'02"E	2.45	L38	S36°43'51"E	23.18	L67	S48°09'53"E	15.20
L10	N11°41'04"E	29.68	L39	S71°44'19"E	58.52	L68	S37°52'08"E	13.06
L11	N79°36'44"E	13.79	L40	N62°11'39"E	18.05	L69	N35°55'57"E	17.58
L12	S33°18'24"E	13.67	L41	N42°11'09"W	12.01	L70	S65°53'09"E	23.02
L13	S77°35'31"E	31.05	L42	N60°55'50"W	24.88	L71	S65°53'09"E	33.63
L14	N70°57'08"E	5.47	L43	N26°01'40"W	6.17	L72	S37°52'08"E	11.44
L15	N12°59'47"E	13.29	L44	N22°34'54"E	7.53	L73	S52°34'23"E	56.86
L16	N63°42'03"E	17.67	L45	N74°15'31"E	16.87	L74	S56°38'03"E	26.70
L17	S68°45'32"E	24.74	L46	N71°59'48"E	12.99	L75	S87°57'28"E	24.03
L18	S14°19'50"W	37.21	L47	S44°05'09"E	15.53	L76	S68°51'39"E	50.09
L19	S58°52'11"E	24.31	L48	S21°33'51"E	44.23	L77	S12°03'12"W	29.09
L20	S20°05'29"E	13.27	L49	S67°35'17"E	34.53	L78	S17°00'12"E	30.34
L21	S34°22'38"W	25.73	L50	S65°53'09"E	56.66	L79	N84°11'50"E	21.00
L22	S13°30'54"W	21.80	L51	S31°12'00"E	55.47	L80	N5°40'53"E	16.10
L23	S27°02'01"E	30.64	L52	S83°23'23"E	16.24	L81	S68°17'24"E	20.12
L24	N75°02'47"E	12.49	L53	N48°14'15"E	10.17	L82	N82°14'32"E	45.84
L25	S71°03'12"E	10.18	L54	N44°53'57"E	16.88	L83	S56°20'58"E	37.98
L26	S60°34'00"E	11.50	L55	N81°51'30"E	9.03	L84	S7°45'22"E	21.00
L27	S24°51'16"E	18.31	L56	S7°31'57"E	17.14	L85	S53°57'11"E	20.32
L28	S51°17'40"E	38.50	L57	S74°24'22"E	63.67	L86	N52°12'31"E	8.33
L29	S36°27'42"E	36.97	L58	S54°51'17"E	37.93			



11/01/2022



SHEET RECORD

DATE	DESCRIPTION
4/20/2023	ISSUED
4/25/2023	CLIENT COMMENTS

DRAWING INFORMATION
 CAD FILE: 22083-BNDY-1.DWG
 DRAWN BY: GRM CHECKED BY: CRA

ALTA SURVEY
 PROJECT: 22083.00 SHEET 2 OF 2



Certificate of Mailing — Firm

Name and Address of Sender
**MOORE INGRAM JOHNSON &
STEELE, LLP**
EMERSON OVERLOOK – SUITE 100
326 ROSWELL STREET
MARIETTA, GA 30060

RE: **TRATON, LLC**
REZONING APPLICATION
(CHANGE OF CONDITIONS)
WILDWOOD PLACE
(LEWIS ROAD)

USPS® Tracking Number
Firm-specific Identifier

1. **TRATON, LLC**
720 KENNESAW AVENUE, N.W.
MARIETTA, GA 30060

3. **FRONCHAY K. COLLIER**
DANNIELLE C. COLLIER
4511 TWINBERRY DRIVE
POWDER SPRINGS, GA 30127

5. **LAUREN IWU**
4521 TWINBERRY DRIVE
POWDER SPRINGS, GA 30127

TOTAL NO. of Pieces Listed by Sender
3

TOTAL NO. of Pieces Received at Post Office™
9

Affix
Postnet

Postmaster (name of receiving employee)

Address
(Name, Street, City, State, and ZIP Code™)

NEOPOST
03/05/2026
US POSTAGE \$007.02⁰



Postage Fee Special Handling Parcel Airift

1.

2.

3.

4.

5.

6.



Certificate of Mailing — Firm

Name and Address of Sender
**MOORE INGRAM JOHNSON &
STEELE, LLP
EMERSON OVERLOOK – SUITE 100
326 ROSWELL STREET
MARIETTA, GA 30060**

**RE: TRATON, LLC
REZONING APPLICATION
(CHANGE OF CONDITIONS)
WILDWOOD PLACE
(LEWIS ROAD)**

TOTAL NO.
of Pieces Listed by Sender

3

TOTAL NO.
of Pieces Received at Post Office™

Postmaster, per (name of receiving employee)

Affix Stamp Here
Postmark with Date of Receipt.



USPS® Tracking Number
Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Special Handling

Parcel Airift

1. **GISELA CAMPOS TORRES
4529 TWINBERRY DRIVE
POWDER SPRINGS, GA 30127**

3. **SPRINGBROOK ESTATES HOA, INC.
C/O MORTGAGE REALTY GROUP
1001 CAMBRIDGE SQUARE, SUITE A
ALPHARETTA, GA 30009**

5. **LEWIS ROAD DEVELOPMENT, LLC
720 KENNESAW AVENUE
MARIETTA, GA 30060**



Certificate of Mailing — Firm

Name and Address of Sender
**MOORE INGRAM JOHNSON &
STEELE, LLP
EMERSON OVERLOOK – SUITE 100
326 ROSWELL STREET
MARIETTA, GA 30060**

**RE: TRATON, LLC
REZONING APPLICATION
(CHANGE OF CONDITIONS)
WILDWOOD PLACE
(LEWIS ROAD)**

TOTAL NO. of Pieces Listed by Sender

3

Affix Stamp Here
Postmark with Date of Receipt.



TOTAL NO. of Pieces Received at Post Office™

Postmaster, per (name of receiving employee)

USPS® Tracking Number
Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Special Handling

Parcel Airift

1. **LANCE BRADLEY
4517 TWINBERRY DRIVE
POWDER SPRINGS, GA 30127**

3. **OLIVIA ANDERSON
THOMAS PROULX, JR.
4525 TWINBERRY DRIVE
POWDER SPRINGS, GA 30127**

5. **GREGORY BRANDON CHARLES
KATHY H. CHARLES
4655 LARKFIELD WAY
POWDER SPRINGS, GA 30127**

ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Planning Commission Hearing: **March 23, 2026**
Mayor and City Council Hearing: **April 6, 2026**

**BEFORE THE PLANNING AND ZONING COMMISSION
AND THE MAYOR AND CITY COUNCIL
FOR THE CITY OF POWDER SPRINGS, GEORGIA**

**CONSTITUTIONAL CHALLENGE
ATTACHMENT TO APPLICATION FOR REZONING**

COME NOW, Applicant, TRATON, LLC (hereinafter referred to as “Applicant”), and Property Owner, LEWIS ROAD DEVELOPMENT, LLC (hereinafter referred to as “Owner” or “Property Owner”), and assert the following:

1.

By Application for Rezoning dated and filed February 24, 2026, Applicant and Property Owner applied for rezoning of certain real property located within incorporated City of Powder Springs, Georgia, a more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the “Property” or “Subject Property”).

2.

The Application for Rezoning of the Property seeks rezoning from the existing zoning category of PUD-R, with stipulations, to the proposed zoning classification of PUD-R, with stipulations, as established by the governing authority of the City of Powder Springs, Georgia, under and pursuant to the Unified Development Code of Powder Springs Georgia, as amended, being hereinafter referred to as the “Unified Development Code of the City of Powder Springs.”

3.

With respect to the existing PUD-R, with stipulations, zoning classification, Applicant and Property Owner do contend the Unified Development Code of the City of Powder Springs, Georgia is unconstitutional as applied to the Property in that said Ordinance does not permit the Applicant and Property Owner to utilize the Property to the use set forth within the Application for Rezoning without the necessity of rezoning. However, Applicant and Property Owner do not contend the current zoning category of PUD-R, with stipulations, is unconstitutional, *per se*, only as applied. Thus, the Ordinance deprives Applicant and Property Owner of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The existing zoning category of PUD-R, with stipulations, together with any intervening zoning categories between the existing PUD-R, with stipulations, category and the requested PUD-R category, with stipulations, violate the Applicant's and Property Owner's rights to unfettered use of their Property, as stated above, in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owner.

4.

To the extent the Unified Development Code of the City of Powder Springs, Georgia, allows or permits the Mayor and City Council to rezone the Subject Property to any category other than as requested, said Ordinance is further unconstitutional in that same violates Applicant's and Property Owner's constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action by the Mayor and City Council, or as allowed by the Unified Development Code of the City of Powder Springs, is an unconstitutional use of the zoning power and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate compensation in violation of the Constitutions of the State of Georgia and the United States of America.

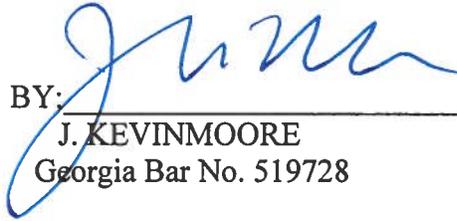
5.

The Ordinance is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Zoning Application also violate Art. I, § I, ¶¶ I, II, and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the absence of rebuttal, contain the inability to confront witnesses, contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issue at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

[Signature contained on page 4]

Respectfully submitted, this 24th day of February, 2026.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. KEVINMOORE

Georgia Bar No. 519728

Attorneys for Applicant and Property Owner

EXHIBIT “A” – ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Planning Commission Hearing: **March 23, 2026**
Mayor and City Council Hearing: **April 6, 2026**

Applicant: **Traton, LLC**
Titleholder: **Lewis Road Development, LLC**

Applicant’s and Property Owner’s Representative:

J. Kevin Moore, Esq.
Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook, Suite 100
326 Roswell Street
Marietta, Georgia 30060
(770) 429-1499 (Office)
(770) 429-8631 (Telefax)
E-mail: jkm@mijs.com

EXHIBIT "B"

Parcel ID ↕	Owner ▾	Property Address ↕	Notification Date ↕	Neighborhood ↕	Subdivision ↕	Map
19104900130	LEWIS ROAD DEVELOPMENT LLC	4603 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900140	LEWIS ROAD DEVELOPMENT LLC	4607 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900150	LEWIS ROAD DEVELOPMENT LLC	4611 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900160	LEWIS ROAD DEVELOPMENT LLC	4615 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900170	LEWIS ROAD DEVELOPMENT LLC	4619 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900180	LEWIS ROAD DEVELOPMENT LLC	4623 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900190	LEWIS ROAD DEVELOPMENT LLC	4627 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900200	LEWIS ROAD DEVELOPMENT LLC	4631 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900210	LEWIS ROAD DEVELOPMENT LLC	4635 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900220	LEWIS ROAD DEVELOPMENT LLC	4639 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900230	LEWIS ROAD DEVELOPMENT LLC	4643 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900240	LEWIS ROAD DEVELOPMENT LLC	4647 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900310	LEWIS ROAD DEVELOPMENT LLC	4675 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900320	LEWIS ROAD DEVELOPMENT LLC	4679 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900330	LEWIS ROAD DEVELOPMENT LLC	4683 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900340	LEWIS ROAD DEVELOPMENT LLC	4687 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900350	LEWIS ROAD DEVELOPMENT LLC	4691 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900360	LEWIS ROAD DEVELOPMENT LLC	4695 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900370	LEWIS ROAD DEVELOPMENT LLC	4699 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900380	LEWIS ROAD DEVELOPMENT LLC	4703 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900390	LEWIS ROAD DEVELOPMENT LLC	4707 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900400	LEWIS ROAD DEVELOPMENT LLC	4711 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900410	LEWIS ROAD DEVELOPMENT LLC	4715 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900420	LEWIS ROAD DEVELOPMENT LLC	4719 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900430	LEWIS ROAD DEVELOPMENT LLC	4723 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900440	LEWIS ROAD DEVELOPMENT LLC	4727 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900450	LEWIS ROAD DEVELOPMENT LLC	4731 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900460	LEWIS ROAD DEVELOPMENT LLC	4735 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900470	LEWIS ROAD DEVELOPMENT LLC	4739 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900480	LEWIS ROAD DEVELOPMENT LLC	4743 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map

Parcel ID	Owner	Property Address	Notification Date	Neighborhood	Subdivision	Map
19104900490	LEWIS ROAD DEVELOPMENT LLC	4747 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900500	LEWIS ROAD DEVELOPMENT LLC	4751 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900510	LEWIS ROAD DEVELOPMENT LLC	4755 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900520	LEWIS ROAD DEVELOPMENT LLC	4759 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900530	LEWIS ROAD DEVELOPMENT LLC	4752 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900540	LEWIS ROAD DEVELOPMENT LLC	4748 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900550	LEWIS ROAD DEVELOPMENT LLC	4744 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900560	LEWIS ROAD DEVELOPMENT LLC	4740 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900570	LEWIS ROAD DEVELOPMENT LLC	4736 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900600	LEWIS ROAD DEVELOPMENT LLC	4732 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900610	LEWIS ROAD DEVELOPMENT LLC	4728 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900620	LEWIS ROAD DEVELOPMENT LLC	4581 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900630	LEWIS ROAD DEVELOPMENT LLC	4577 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900640	LEWIS ROAD DEVELOPMENT LLC	4573 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900650	LEWIS ROAD DEVELOPMENT LLC	4569 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900660	LEWIS ROAD DEVELOPMENT LLC	4565 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900670	LEWIS ROAD DEVELOPMENT LLC	4561 TWINBERRY DR		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900740	LEWIS ROAD DEVELOPMENT LLC	4638 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900750	LEWIS ROAD DEVELOPMENT LLC	4634 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900760	LEWIS ROAD DEVELOPMENT LLC	4630 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900770	LEWIS ROAD DEVELOPMENT LLC	4626 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900780	LEWIS ROAD DEVELOPMENT LLC	4622 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900790	LEWIS ROAD DEVELOPMENT LLC	4618 LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900800	LEWIS ROAD DEVELOPMENT LLC	LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map
19104900810	LEWIS ROAD DEVELOPMENT LLC	LARKFIELD WAY		WILDWOOD PLACE - 19049701	9701-WILDWOOD PLACE	Map

Ownership and characteristic data are the most current information available. All appraised/assessed values are as of Jan 1, 2026.
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Developed by
 **SCHNEIDER**
 GEOSPATIAL

LEGAL DESCRIPTION

A tract or parcel of land situated in Land Lots 1024, 1049 and 1050, 19th District, City of Powder Springs, Cobb County, Georgia, the bearings of which are based on State Plane Grid System (Georgia West Zone) and being more particularly described as follows:

BEGINNING at a #4 Rebar found at the intersection of the Northeasterly right-of-way of C.H. James Parkway (Variable R/W) and the common line of Land Lots 1024 and 1025 of said District and Section and having State Plane Coordinates of N- 1,399,108.88 and E-2,137,741.84; thence along said common line of Land Lots 1024 and 1025 N 00°24'43" E for a distance of 83.59 feet to a point at the centerline of a creek; thence leaving said common Land Lot Line and along the centerline of said creek the following 83 courses and distances: {S 75°38'06" E for a distance of 13.71 feet to a point; N 57°53'41" E for a distance of 23.05 feet to a point; N 81°49'20" E for a distance of 17.31 feet to a point; S 51°50'37" E for a distance of 15.84 feet to a point; S 85°35'27" E for a distance of 23.13 feet to a point; S 60°36'06" E for a distance of 2.88 feet to a point; N 66°07'19" E for a distance of 16.40 feet to a point; S 78°43'43" E for a distance of 25.39 feet to a point; N 46°14'02" E for a distance of 2.45 feet to a point; N 11°41'04" E for a distance of 29.68 feet to a point; N 79°36'44" E for a distance of 13.79 feet to a point; S 33°18'24" E for a distance of 13.67 feet to a point; S 77°35'31" E for a distance of 31.05 feet to a point; N 70°57'08" E for a distance of 5.47 feet to a point; N 12°59'47" E for a distance of 13.29 feet to a point; N 63°42'03" E for a distance of 17.67 feet to a point; S 68°45'32" E for a distance of 24.74 feet to a point; S 14°19'50" W for a distance of 37.21 feet to a point; S 58°52'11" E for a distance of 24.31 feet to a point; S 20°05'29" E for a distance of 13.27 feet to a point; S 34°22'38" W for a distance of 25.73 feet to a point; S 13°30'54" W for a distance of 21.80 feet to a point; S 27°02'01" E for a distance of 30.64 feet to a point; N 75°02'47" E for a distance of 12.49 feet to a point; S 71°03'12" E for a distance of 10.18 feet to a point; S 60°34'00" E for a distance of 11.50 feet to a point; S 24°51'16" E for a distance of 18.31 feet to a point; S 51°17'40" E for a distance of 38.50 feet to a point; S 36°27'42" E for a distance of 36.97 feet to a point; S 66°41'44" E for a distance of 14.11 feet to a point; N 48°35'42" E for a distance of 23.02 feet to a point; S 56°55'09" E for a distance of 33.06 feet to a point; S 07°25'05" E for a distance of 34.69 feet to a point; N 89°56'32" E for a distance of 15.36 feet to a point; N 49°20'19" E for a distance of 20.41 feet to a point; S 63°05'15" E for a distance of 31.04 feet to a point; S 12°00'30" E for a distance of 37.67 feet to a point; S 36°43'51" E for a distance of 23.18 feet to a point; S 71°44'19" E for a distance of 58.52 feet to a point; N 62°11'39" E for a distance of 18.05 feet to a point; N 42°11'09" W for a distance of 12.01 feet to a point; N 60°55'50" W for a distance of 24.88 feet to a point; N 26°01'40" W for a distance of 6.17 feet to a point; N 22°34'54" E for a distance of 7.53 feet to a point; N 74°15'31" E for a distance of 16.87 feet to a point; N 71°59'48" E for a distance of 12.99 feet to a point; S 44°05'09" E for a distance of 15.53 feet to a point; S 21°33'51" E for a distance of 44.23 feet to a point; S 67°35'17" E for a distance of 34.53 feet to a point; S 65°53'09" E for a distance of 56.66 feet to a point; S 31°12'00" E for a distance of 55.47 feet to a point; S 83°23'23" E for a distance of 16.24 feet to a point; N 48°14'15" E for a distance of 10.17 feet to a point; N 44°53'57" E for a distance of

16.88 feet to a point; N 81°51'30" E for a distance of 9.03 feet to a point; S 07°31'57" E for a distance of 17.14 feet to a point; S 74°24'22" E for a distance of 63.67 feet to a point; S 54°51'17" E for a distance of 37.93 feet to a point; S 88°18'14" E for a distance of 11.28 feet to a point; N 64°53'59" E for a distance of 50.83 feet to a point; S 73°30'16" E for a distance of 24.41 feet to a point; S 14°48'57" E for a distance of 20.35 feet to a point; S 84°55'16" E for a distance of 41.17 feet to a point; S 70°03'34" E for a distance of 46.10 feet to a point; S 55°16'13" E for a distance of 41.17 feet to a point; S 23°40'43" E for a distance of 22.66 feet to a point; S 48°09'53" E for a distance of 15.20 feet to a point; S 37°52'08" E for a distance of 13.06 feet to a point; S 37°52'08" E for a distance of 11.44 feet to a point; S 52°34'23" E for a distance of 56.86 feet to a point; S 56°36'03" E for a distance of 26.70 feet to a point; S 87°57'28" E for a distance of 24.03 feet to a point; S 68°51'39" E for a distance of 50.09 feet to a point; S 12°03'12" W for a distance of 29.09 feet to a point; S 17°00'12" E for a distance of 30.34 feet to a point; N 84°11'50" E for a distance of 21.00 feet to a point; N 05°40'53" E for a distance of 16.10 feet to a point; S 88°17'24" E for a distance of 20.12 feet to a point; N 82°14'32" E for a distance of 45.84 feet to a point; S 56°20'58" E for a distance of 37.98 feet to a point; S 07°45'22" E for a distance of 21.00 feet to a point; S 53°57'11" E for a distance of 20.32 feet to a point; N 52°12'31" E for a distance of 8.33 feet} to a point on the Westerly right-of-way of Lewis Road (Variable R/W); thence along said Westerly right-of-way the following 4 courses and distances: {S 12°36'16" E for a distance of 203.97 feet to a R/W Monument; 367.26 feet along the arc of a curve to the right having a radius of 390.00 feet, a central angle of 53°57'20", and a chord bearing and distance of S 38°08'57" W and 353.84 feet; 105.00 feet along the arc of a curve to the right having a radius of 390.00 feet, a central angle of 15°25'33", and a chord bearing and distance of S 72°50'23" W and 104.68 feet; S 80°33'08" W for a distance of 65.31 feet} to a point at the intersection of the Northerly right-of-way of said Lewis Road (variable R/W) and the Northeasterly right-of-way of said C.H. James Parkway (Variable R/W); thence along said Northeasterly right-of-way of C.H. James Parkway (Variable R/W) the following 3 courses and distances: {N 42°38'15" W for a distance of 349.66 feet to a point; N 42°38'17" W for a distance of 837.89 feet to a #4 Rebar; N 42°38'17" W for a distance of 312.09 feet} to a #4 rebar at the intersection of said Northeasterly right-of-way of C.H. James Parkway (Variable R/W) and the common line of Land Lots 1024 and 1025 and the **POINT OF BEGINNING**.

Containing **13.81 acres or 601,400 square feet** being more specifically shown on an ALTA survey prepared for Traton Homes, by Mitchell Surveying & Consulting, LLC, dated November 1, 2022 (Job No. 22083), unto which reference is hereby made.

LESS AND EXCEPT approximately 2.231 acres for right-of-way dedication.

[Space Above This Line For Recording Data]

RETURN TO:
MOORE INGRAM JOHNSON & STEELE, LLP
EMERSON OVERLOOK
326 ROSWELL STREET
MARIETTA, GEORGIA 30060
21R405.1

**LIMITED
WARRANTY DEED**

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE, made the 13th day of July, in the year Two Thousand Twenty-Three, between

**OGLESBY ROAD GROUP, LLC,
a Georgia limited liability company**

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

**LEWIS ROAD DEVELOPMENT, LLC,
a Georgia limited liability company**

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 OTHER VALUABLE CONSIDERATIONS AND TEN AND NO/100 DOLLARS (\$10.00) 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 1024, 1049 and 1050 of the 19th District, 2nd Section, City of Powder Springs, Cobb County, Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

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 Grantee forever in FEE SIMPLE; subject only to the matters (hereinafter

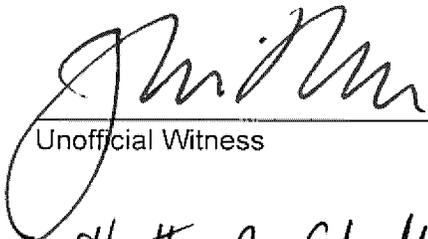
referred to as "Permitted Exceptions") set out in the attached Exhibit "B", attached hereto and made a part hereof by this reference.

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 CLAIMING BY, THROUGH, OR UNDER GRANTOR, BUT NOT OTHERWISE.

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

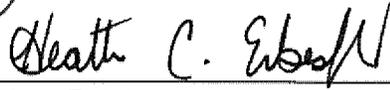
Signed, sealed and delivered in the presence of:

**OGLESBY ROAD GROUP, LLC,
a Georgia limited liability company**



Unofficial Witness

By:  (Seal)
Lindsey A. Tippins, Manager



Notary Public
MY COMMISSION EXPIRES: _____

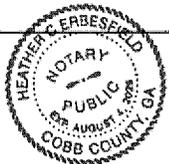


EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 1024, 1049 AND 1050 OF THE 19TH DISTRICT, 2ND SECTION, CITY OF POWDER SPRINGS, COBB COUNTY, GEORGIA, CONTAINING 13.81 ACRES AS PER THAT CERTAIN ALTA/NSPS LAND TITLE BOUNDARY SURVEY FOR LEWIS ROAD DEVELOPMENT, LLC, SWOF TRATON LEWIS ROAD, LLC, PIEDMONT BANK AND FIRST AMERICAN TITLE INSURANCE COMPANY, PREPARED BY MITCHELL SURVEYING & CONSULTING, LLC, BEARING THE SEAL AND CERTIFICATION OF CHARLES R. MITCHELL, GEORGIA REGISTERED LAND SURVEYOR NO. 3240 (JOB NO. 22083), DATED NOVEMBER 1, 2022, LAST REVISED JULY 10, 2023, THE BEARINGS OF WHICH ARE BASED ON STATE PLANE GRID SYSTEM (GEORGIA WEST ZONE). SAID SURVEY IS INCORPORATED HEREIN BY REFERENCE FOR A MORE COMPLETE DELINEATION OF CAPTION PROPERTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A #4 REBAR FOUND AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY OF C.H. JAMES PARKWAY (VARIABLE R/W) AND THE COMMON LAND LOT LINE OF LAND LOTS 1024 AND 1025 OF SAID DISTRICT AND SECTION AND HAVING STATE PLANE COORDINATES OF N-1,399,108.88 AND E-2,137,741.84; THENCE FROM SAID POINT OF BEGINNING AND RUNNING ALONG SAID COMMON LAND LOT LINE OF LAND LOTS 1024 AND 1025 NORTH 00 DEGREES 24 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 83.59 FEET TO A POINT AND CORNER LOCATED AT THE CENTERLINE OF A CREEK; THENCE LEAVING SAID COMMON LAND LOT LINE AND RUNNING ALONG THE CENTERLINE OF SAID CREEK THE FOLLOWING 50 COURSES AND DISTANCES: SOUTH 75 DEGREES 38 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 13.71 FEET TO A POINT; THENCE NORTH 57 DEGREES 53 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 23.05 FEET TO A POINT; THENCE NORTH 81 DEGREES 49 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 17.31 FEET TO A POINT; THENCE SOUTH 51 DEGREES 50 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 15.84 FEET TO A POINT; THENCE SOUTH 85 DEGREES 35 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 23.13 FEET TO A POINT; THENCE SOUTH 60 DEGREES 36 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 2.88 FEET TO A POINT; THENCE NORTH 66 DEGREES 07 MINUTES 19 SECONDS EAST FOR A DISTANCE OF 16.40 FEET TO A POINT; THENCE SOUTH 78 DEGREES 43 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 25.39 FEET TO A POINT; THENCE NORTH 46 DEGREES 14 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 2.45 FEET TO A POINT; THENCE NORTH 11 DEGREES 41 MINUTES 04 SECONDS EAST FOR A DISTANCE OF 29.68 FEET TO A POINT; THENCE NORTH 79 DEGREES 36 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 13.79 FEET TO A POINT; THENCE SOUTH 33 DEGREES 18 MINUTES 24 SECONDS EAST FOR A DISTANCE OF 13.67 FEET TO A POINT; THENCE SOUTH 77 DEGREES 35 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 31.05 FEET TO A POINT; THENCE NORTH 70 DEGREES 57 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 5.47 FEET TO A POINT; THENCE NORTH 12 DEGREES 59 MINUTES 47

SECONDS EAST FOR A DISTANCE OF 13.29 FEET TO A POINT; THENCE NORTH 63 DEGREES 42 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 17.67 FEET TO A POINT; THENCE SOUTH 68 DEGREES 45 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 24.74 FEET TO A POINT; THENCE SOUTH 14 DEGREES 19 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 37.21 FEET TO A POINT; THENCE SOUTH 58 DEGREES 52 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 24.31 FEET TO A POINT; THENCE SOUTH 20 DEGREES 05 MINUTES 29 SECONDS EAST FOR A DISTANCE OF 13.27 FEET TO A POINT; THENCE SOUTH 34 DEGREES 22 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 25.73 FEET TO A POINT; THENCE SOUTH 13 DEGREES 30 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 21.80 FEET TO A POINT; THENCE SOUTH 27 DEGREES 02 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 30.64 FEET TO A POINT; THENCE NORTH 75 DEGREES 02 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 12.49 FEET TO A POINT; THENCE SOUTH 71 DEGREES 03 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 10.18 FEET TO A POINT; THENCE SOUTH 60 DEGREES 34 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 11.50 FEET TO A POINT; THENCE SOUTH 24 DEGREES 51 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 18.31 FEET TO A POINT; THENCE SOUTH 51 DEGREES 17 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 38.50 FEET TO A POINT; THENCE SOUTH 36 DEGREES 27 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 36.97 FEET TO A POINT; THENCE SOUTH 66 DEGREES 41 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 14.11 FEET TO A POINT; THENCE NORTH 48 DEGREES 35 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 23.02 FEET TO A POINT; THENCE SOUTH 56 DEGREES 55 MINUTES 09 SECONDS EAST FOR A DISTANCE OF 33.06 FEET TO A POINT; THENCE SOUTH 07 DEGREES 25 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 34.69 FEET TO A POINT; THENCE NORTH 89 DEGREES 56 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 15.36 FEET TO A POINT; THENCE NORTH 49 DEGREES 20 MINUTES 19 SECONDS EAST FOR A DISTANCE OF 20.41 FEET TO A POINT; THENCE SOUTH 63 DEGREES 05 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 31.04 FEET TO A POINT; THENCE SOUTH 12 DEGREES 00 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 37.67 FEET TO A POINT; THENCE SOUTH 36 DEGREES 43 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 23.18 FEET TO A POINT; THENCE SOUTH 71 DEGREES 44 MINUTES 19 SECONDS EAST FOR A DISTANCE OF 58.52 FEET TO A POINT; THENCE NORTH 62 DEGREES 11 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 18.05 FEET TO A POINT; THENCE NORTH 42 DEGREES 11 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 12.01 FEET TO A POINT; THENCE NORTH 60 DEGREES 55 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 24.88 FEET TO A POINT; THENCE NORTH 26 DEGREES 01 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 6.17 FEET TO A POINT; THENCE NORTH 22 DEGREES 34 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 7.53 FEET TO A POINT; THENCE NORTH 74 DEGREES 15 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 16.87 FEET TO A POINT; THENCE NORTH 71 DEGREES 59 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 12.99 FEET TO A POINT; THENCE SOUTH 44 DEGREES 05 MINUTES 09 SECONDS EAST FOR A DISTANCE OF 15.53 FEET TO A POINT; THENCE SOUTH 21 DEGREES 33 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 44.23 FEET TO A POINT; THENCE SOUTH 67 DEGREES 35 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 34.53 FEET TO A POINT; THENCE SOUTH 65 DEGREES 53 MINUTES 09 SECONDS EAST FOR A DISTANCE OF 56.66 FEET TO A POINT; THENCE SOUTH 31 DEGREES 12 MINUTES 00 SECONDS EAST FOR A

DISTANCE OF 55.47 FEET TO A POINT; THENCE SOUTH 83 DEGREES 23 MINUTES 23 SECONDS EAST FOR A DISTANCE OF 16.24 FEET TO A POINT; THENCE NORTH 48 DEGREES 14 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 10.17 FEET TO A POINT; THENCE NORTH 44 DEGREES 53 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 16.88 FEET TO A POINT; THENCE NORTH 81 DEGREES 51 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 9.03 FEET TO A POINT; THENCE SOUTH 07 DEGREES 31 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 17.14 FEET TO A POINT; THENCE SOUTH 74 DEGREES 24 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 63.67 FEET TO A POINT; THENCE SOUTH 54 DEGREES 51 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 37.93 FEET TO A POINT; THENCE SOUTH 88 DEGREES 18 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 11.28 FEET TO A POINT; THENCE NORTH 64 DEGREES 53 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 50.83 FEET TO A POINT; THENCE SOUTH 73 DEGREES 30 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 24.41 FEET TO A POINT; THENCE SOUTH 14 DEGREES 48 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 20.35 FEET TO A POINT; THENCE SOUTH 84 DEGREES 55 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 41.17 FEET TO A POINT; THENCE SOUTH 70 DEGREES 03 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 46.10 FEET TO A POINT; THENCE SOUTH 55 DEGREES 16 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 41.17 FEET TO A POINT; THENCE SOUTH 23 DEGREES 40 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 22.66 FEET TO A POINT; THENCE SOUTH 48 DEGREES 09 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 15.20 FEET TO A POINT; THENCE SOUTH 37 DEGREES 52 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 13.06 FEET TO A POINT; THENCE SOUTH 37 DEGREES 52 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 11.44 FEET TO A POINT; THENCE SOUTH 52 DEGREES 34 MINUTES 23 SECONDS EAST FOR A DISTANCE OF 56.86 FEET TO A POINT; THENCE SOUTH 56 DEGREES 36 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 26.70 FEET TO A POINT; THENCE SOUTH 87 DEGREES 57 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 24.03 FEET TO A POINT; THENCE SOUTH 68 DEGREES 51 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 50.09 FEET TO A POINT; THENCE SOUTH 12 DEGREES 03 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 29.09 FEET TO A POINT; THENCE SOUTH 17 DEGREES 00 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 30.34 FEET TO A POINT; THENCE NORTH 84 DEGREES 11 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 21.00 FEET TO A POINT; THENCE NORTH 05 DEGREES 40 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 16.10 FEET TO A POINT; THENCE SOUTH 88 DEGREES 17 MINUTES 24 SECONDS EAST FOR A DISTANCE OF 20.12 FEET TO A POINT; THENCE NORTH 82 DEGREES 14 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 45.84 FEET TO A POINT; THENCE SOUTH 56 DEGREES 20 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 37.98 FEET TO A POINT; THENCE SOUTH 07 DEGREES 45 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 21.00 FEET TO A POINT; THENCE SOUTH 53 DEGREES 57 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 20.32 FEET TO A POINT; THENCE NORTH 52 DEGREES 12 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 8.33 FEET TO A POINT AND CORNER LOCATED ON THE WESTERLY RIGHT-OF-WAY OF LEWIS ROAD (VARIABLE R/W); THENCE LEAVING THE CENTERLINE OF SAID CREEK AND RUNNING ALONG THE SAID WESTERLY RIGHT-OF-WAY OF LEWIS ROAD THE FOLLOWING 4 COURSES AND DISTANCES: SOUTH 12 DEGREES 36 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 203.97 FEET TO A R/W MONUMENT; THENCE 367.26 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A

RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 53 DEGREES 57 MINUTES 20 SECONDS, A CHORD BEARING OF SOUTH 38 DEGREES 08 MINUTES 57 SECONDS WEST A CHORD DISTANCE OF 353.84 FEET TO A R/W MONUMENT; THENCE 105.00 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 15 DEGREES 25 MINUTES 33 SECONDS, A CHORD BEARING OF SOUTH 72 DEGREES 50 MINUTES 23 SECONDS WEST A CHORD DISTANCE OF 104.68 FEET; THENCE SOUTH 80 DEGREES 33 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 65.31 FEET TO A POINT AND CORNER LOCATED AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF SAID LEWIS ROAD (VARIABLE R/W) AND THE NORTHEASTERLY RIGHT-OF-WAY OF SAID C.H. JAMES PARKWAY (VARIABLE R/W); THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY OF C.H. JAMES PARKWAY THE FOLLOWING 3 COURSES AND DISTANCES: NORTH 42 DEGREES 38 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 349.66 FEET TO A POINT; THENCE NORTH 42 DEGREES 38 MINUTES 17 SECONDS WEST FOR A DISTANCE OF 837.89 FEET TO A #4 REBAR; THENCE NORTH 42 DEGREES 38 MINUTES 17 SECONDS WEST FOR A DISTANCE OF 312.09 FEET TO A #4 REBAR LOCATED AT THE INTERSECTION OF SAID NORTHEASTERLY RIGHT-OF-WAY OF C.H. JAMES PARKWAY (VARIABLE R/W), THE COMMON LINE OF LAND LOTS 1024 AND 1025 AND THE POINT OF BEGINNING.

EXHIBIT "B"

1. Taxes for the year 2023 and all subsequent years not yet due and payable.
2. Easement to Southern Natural Gas Company from L.W. Oglesby, W.D. Oglesby, Claudia Mae Hunton, Floy Ann Hunter and Weyman Oglesby filed November 30, 1966 and recorded in Deed Book 948, Page 32, Cobb County, Georgia Records.
3. Easement to Southern Natural Gas Company from L.R. Oglesby dated January 12, 1967, filed January 27, 1967 and recorded in Deed Book 955, Page 204, Cobb County, Georgia Records.
4. Easement to Southern Natural Gas Company from Claudia Mae Hunton, as guardian ad litem of Weyman Oglesby dated January 11, 1967, filed January 27, 1967 and recorded in Deed Book 955, page 205, Cobb County, Georgia Records.
5. Easement to Southern Natural Gas Company from Mary Baker Oglesby dated January 14, 1967, filed January 27, 1967 and recorded in Deed Book 955, Page 206, Cobb County, Georgia Records.
6. Grading Easement Agreement by and between Oglesby Road Group, LLC and McCar Homes, Inc. dated April 1, 2005, filed April 19, 2005 and recorded in Deed Book 14141, Page 4125, Cobb County, Georgia Records.
7. All matters reflected on that certain ALTA/NSPS Land Title Survey for Lewis Road Development, LLC, SWOF Traton Lewis Road, LLC, Piedmont Bank and First American Title Insurance Company, prepared by Mitchell Surveying & Consulting, LLC, bearing the seal and certification of Charles R. Mitchell, Georgia Registered Land Surveyor No. 3240, dated November 1, 2022, last revised July 10, 2023.

Memorandum

Date: September 19, 2022.
To: Mayor and Council
From: Community Development
Subject: PZ 22--003. Rezoning Request: Rezoning Request: Lewis / Oglesby Road. To consider rezoning from CRC to PUD-R, the property located at 4596 Lewis Road and 4401 Oglesby Road (portion) and C.H. James parkway, within the 19th District, 2nd Section, Land Lots 1049 and 1050, Cobb County, Georgia.
Action:

A motion to APPROVE with the following conditions:

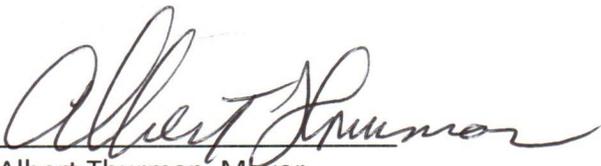
1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning. The rezoning is from CRC to PUD-R with total site acreage of approximately 12.7 acres.
2. The Subject Property shall be developed in substantial conformity to that certain revised site plan the went through the external review process with TSW, prepared by Ridge Planning and Engineering dated 11/22/2021, last revised 08/16/2022. The Site Plan must be consistent with PUD-R regulations and all other applicable regulations identified in the Unified Development Code. The site plan shall be revised to include rear entry units for those units in the central green area, identified by unit numbers 53-58, and submitted for Administrative Review and Approval.
3. The recreation areas shall feature premium amenities. Such area shall be developed with at least one recreational feature such as a pavilion, cabana, gazebo, picnic area, swimming pool, playground, or tennis courts; in addition to the walking trails. Recreational areas must be outside of any floodplain area. Any recreation area must be located in an area with a slope of less than 15%; however, all recreation areas or applicable green space must meet ADA requirements for accessibility.
4. All areas located in the floodplain and undisturbed stream buffer shall be placed in a conservation easement.
5. Maximum height of homes shall be 35'; and for three-story, rear-loaded homes, the maximum height of 35' shall be measured from the front grade to the average height between the eaves and ridge of a gable.

6. The approval of following variance requests is included with the approval of the rezoning request to PUD-R:
 1. Variance to Sec 12 -13 to waive requirement to maintain 75% of existing tree canopy.
 2. Variance to allow minimum horizontal road centerline radius of 37 feet.
7. All residential units shall have two-car garages, and the parking pads/driveway in front of the garage shall be greater than or = 22-feet in length.
8. Front porches shall be a minimum of 6-feet deep, with a minimum total area of 40-square feet.
9. To ensure uniformity and quality, fencing within the proposed community shall be controlled and maintained by the Homeowners' Association; except where individual residents have obtained prior approval by the Homeowners' Association and any individual fencing is of the same quality and style for purposes of uniformity. This limitation and provision shall be included in the Declaration of Covenants and Restrictions for the proposed community. Closed picket styled privacy fences shall be prohibited.
10. The setback are as follows:
 - Front:** 15 feet from right-of-way
 - Perimeter:** 35 feet setback
 - Between buildings:** Minimum of 15 feetDesign Review shall be conducted via Administrative Review.
11. Units must be staggered to the extent required by code, they must provide some staggering or variation as approved by an Administrative Design Review.
12. The architectural style and composition of the homes will be subject TSW review, and shall consist of traditional architecture on all sides, consistent with the product images submitted. Variety in the neighborhood will be provided using stone and different shades of brick, and by mixing front facades of 50% brick and 100% brick as shown in submitted product images. All side elevation will contain brick or stone no less than 50%, and fenestration shall be required on all end units. All rear elevation will contain brick or stone no less than 50% where exposed to the right-of-way. All elevation will contain no less than 50% the front façade. An administrative design review will be required.

13. The creation of a mandatory Homeowners' Association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs") during the Plan Review process, which shall include, among other components, strict architectural controls. The mandatory HOA shall be responsible for the maintenance and upkeep of fencing, landscaping, open space areas, sidewalks, community areas, stormwater detention and/or water quality ponds, lighting, the entrance to the Residential Community and any amenities.
14. The submission of a landscape plan during the Plan Review process which shall be subject to review and approval by the Community Development Director. Additionally, the landscape plan shall include, but not necessarily be limited to, the following:
 - a. Detention pond landscaping and screening plan for around the proposed detention and water quality areas with Cryptomeria, Arborvitae and/or other evergreen trees.
 - b. Planting plan for a twenty-five-foot (25') landscape buffer around the perimeter of the Subject Property.
 - c. Compliance with landscape section renderings/elevations which will be submitted under separate cover during the Plan Review process.
 - d. The landscape plan, which shall be prepared, stamped and signed by a Georgia Registered Landscape Architect or a degreed Horticulturist and shall identify open space areas; landscaped common areas; and other components of the proposed Residential Community which will be further identified during the Plan Review process.
 - e. The installation of underground utilities and the utilization of decorative lighting themed to the architectural style and composition as above mentioned.
 - f. All HVAC, mechanical systems and home utilities within the community shall be screened by way of fencing and/or landscaping.
 - g. Entry signage for the proposed Residential Community shall be ground-based, monument-style, landscaped, lighted and irrigated.
 - h. The installation of landscaped front, side and rear yards.
 - i. Compliance with the City's current Tree Preservation & Replacement Ordinance and substantial conformity to all tree protection measures and the adherence to same during the construction and build out of the Residential Community.
15. A third-party management company shall be hired to manage the day-to-day operations of the HOA and shall also be responsible for the management of all Association monies as well as insuring that the Association is properly insured until such time as the HOA makes a determination that it can undertake such responsibilities.

16. The Community Development Director shall have the authority to approve minor modifications to these stipulations, the architectural renderings/elevations, the site plan and the overall proposal as it proceeds through the Plan Review process and thereafter except for those that:
 - a) Increase the density of the Residential Community.
 - b) Relocate a structure closer to the property line of adjacent property which is zoned the same or in a more restrictive zoning district.
 - c) Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.
 - d) Change access locations to different rights-of-way.
17. Road frontages will be heavily and professionally landscaped which may include the use of berms, fencing, and substantial plant material to provide for visual screening. All perimeter and roadway buffer areas will either be owned by the HOA or deed restricted with maintenance easements in favor of the HOA.
18. Perimeter fencing shall be required to buffer the detention pond area, at minimum. Fencing should not be of a wooden privacy fence type, unless approved by Administrative Design Review; and regardless, all fencing shall be subject to administrative design review and approval.
19. Declarant or any builder construction homes within the proposed community must sell any such home for owner occupancy only. Thereafter, leasing of any units within the entire development, with a minimum lease term of one (1) year. The mandatory homeowners association must maintain records dealing with any lease withing the Development, and such records shall be subject to review by the City of Powder Springs personnel with regard to enforcement of this provision limiting the total number of leases within the Development to no more than 5%. The homeowner association shall agree to provide, upon request to the City of Powder Springs, and all information relating to existing leases at the time of anu such request by the City. The City shall be named a third-party beneficiary entitles to enforce this provision of the covenants.
20. Traffic impacts will be reviewed as part of the LDP process. Applicant agrees to offsite improvements necessitated by this development. All streets shall be public streets.
21. If the development on the site stalls for a period of 6 months or more, the site be replanted per a plan approved by the Community Development Director showing compliance with minimum tree canopy, street trees and buffer requirements.

So motioned, this 19th day of September 2022.



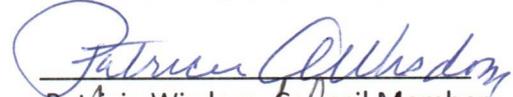
Albert Thurman, Mayor



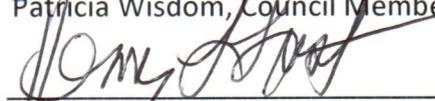
Patrick Bordelon, Council Member



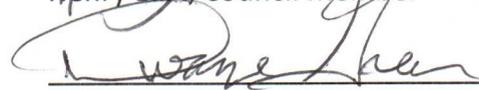
Doris Dawkins, Council Member



Patricia Wisdom, Council Member



Henry Lust, Council Member



Dwayne Green, Council Member

Attest:



Kelly Axt, City Clerk

Traton Llc
720 Kennesaw Ave Nw
Marietta, GA, 30060

Torres Gisela Campos
4529 Twinberry Dr
Powder Springs, GA, 30127

Lewis Road Development Llc
720 Kennesaw Ave
Marietta, GA, 30060

Lewis Road Development Llc
720 Kennesaw Ave
Marietta, GA, 30060

Traton Llc
720 Kennesaw Ave Nw
Marietta, GA, 30060

Lewis Road Development Llc
720 Kennesaw Ave
Marietta, GA, 30060

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Bradley Lance
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Powder Springs, GA, 30127

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Traton Llc
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Iwu Lauren
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Charles Gregory Brandon & Kathy H
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Lewis Road Development Llc
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Marietta, GA, 30060

Traton Llc
720 Kennesaw Ave Nw
Marietta, GA, 30060

Anderson Olivia & Proulx Thomas Jr
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Powder Springs, GA, 30127

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Marietta, GA, 30060

Traton Llc
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Marietta, GA, 30060

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720 Kennesaw Ave
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720 Kennesaw Ave
Marietta, GA, 30060



Springbrook Estates Hoa IncC/o Montage Realty Group
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Alpharetta, GA, 30009

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Marietta, GA, 30060

Lewis Road Development Llc
720 Kennesaw Ave
Marietta, GA, 30060

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KNOXVILLE, TENNESSEE 37923
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SUITE 200
BRENTWOOD, TENNESSEE 37027
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SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (859) 309-0026

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1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
165 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

March 2, 2026

Via E-filing through City Portal and E-mail

City of Powder Springs
Planning and Zoning Manager
4483 Pineview Drive
Powder Springs, Georgia 30127

RE: Application for Rezoning - Application No. PZ26-009
 Applicant: Traton, LLC
 Property Owner: Lewis Road Development, LLC
 Property: 11.579 acres, more or less, located along the
 westerly and southwesterly side of Lewis Road
 and the northeasterly side of C.H. James
 Parkway, being a residential community more
 particularly known as Wildwood Place, Land
 Lots 1024, 1049, and 1050, 19th District,
 2nd Section, Cobb County, Georgia

Dear Sir or Madam:

On behalf of the Applicant, Traton, LLC (hereinafter "Applicant"); as well as, the Property Owner, Lewis Road Development, LLC (hereinafter "Owner" or "Property Owner"), please accept this correspondence as our request to formally amend the above-referenced pending Application for Rezoning to allow an additional item for consideration, as follows:

- (1) Revision to approved stipulation to allow for rear entry homes to have a one-car garage.

We respectfully request the amendment, as set forth above, become a part of the overall Application for Rezoning and be considered by City Staff; as well as, the Planning and Zoning Commission and Mayor and City Council at the respective hearings.

The balance and remainder of the original, pending Application for Rezoning is unchanged by the amendment requested above.

MOORE INGRAM JOHNSON & STEELE

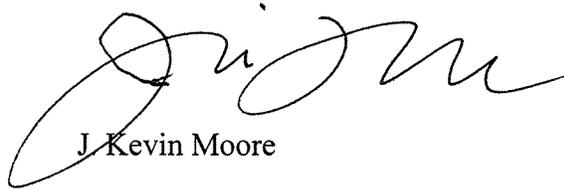
City of Powder Springs
Planning and Zoning Manager
Page 2 of 2
March 2, 2026

We very much appreciate your consideration and assistance in this request. If you should have any questions or require additional information or documentation concerning the requested amendment, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JHM:cc

c: Kerisha Black
Permits and Development Coordinator
City of Powder Springs Community Development
(Via E-mail Only)

JoAnna Robinson
Planning and Zoning Technician
City of Powder Springs Community Development
(Via E-mail Only)

Traton, LLC
Lewis Road Development, LLC
(Via E-mail Only)

ZONING NOTICE

Application has been made
to rezone this property

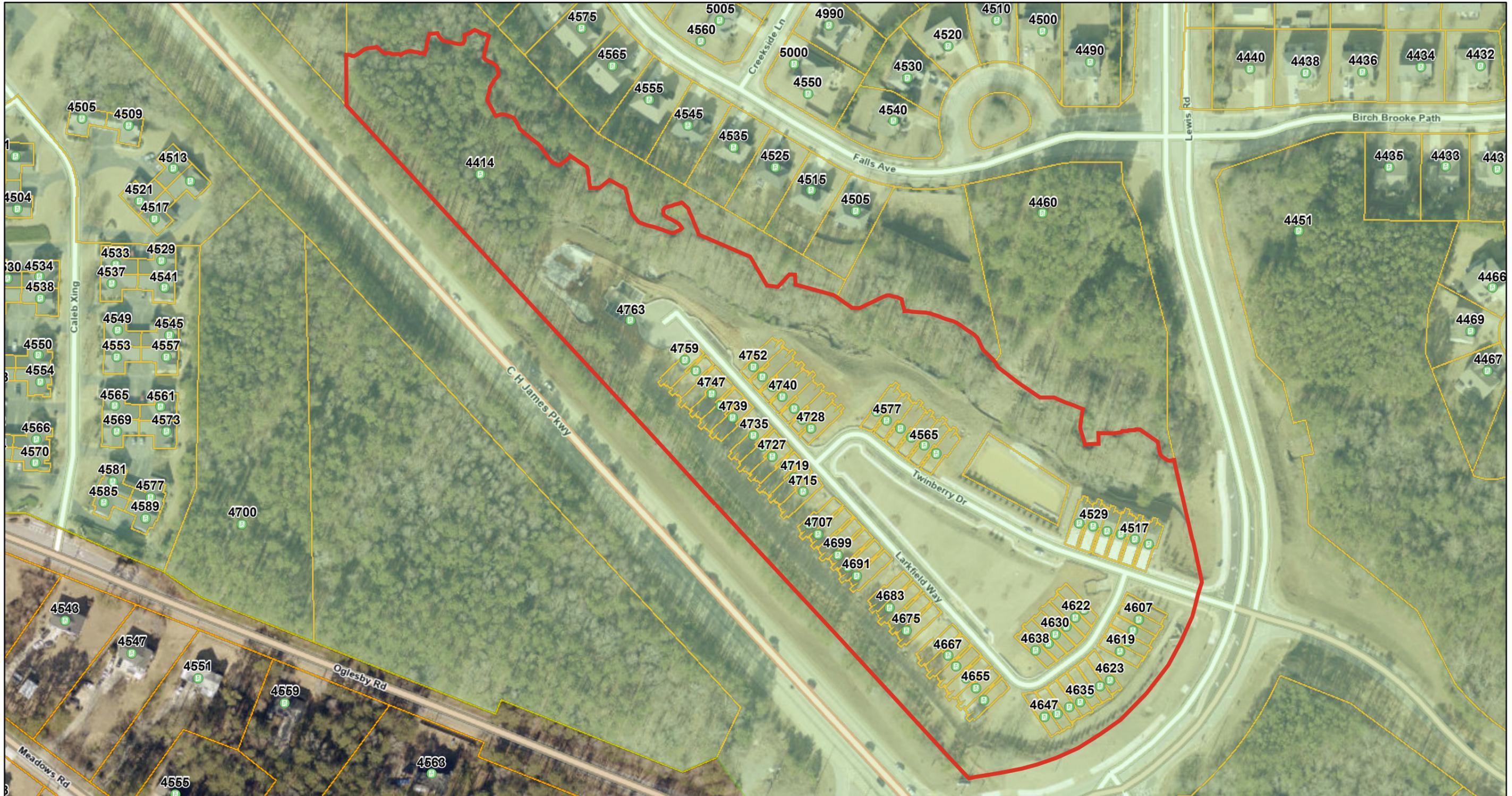
From 40'
Changing of Conditions

To be heard by
Powder Springs Planning Commission
on March 23rd at 7:00PM

and by the
Mayor & City Council
on April 6th at 7:00PM

Location: Hay Hill
2028 Paradise Dr

Wildwood Place Subdivision

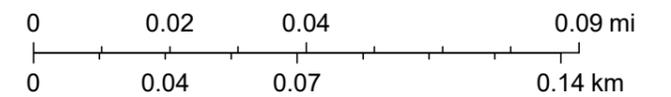


2/17/2026, 11:42:39 AM

1:2,257

- Active Address
- Commissioner Districts
- District Four: (SW Cobb): Monique Sheffield
- Cities
- Powder Springs

- | | |
|---|---|
| Cobb Parcels | ORTHO |
| Cobb Roads | Red: Band_1 |
| Arterials | Green: Band_2 |
| Minor Collectors | Blue: Band_3 |
| Local | |



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2024082611 Plat Book 282 pg 885
 and Recorded: 10/14/2024 2:28:00 PM
 Connie Taylor
 Clerk of Superior Court
 Cobb County, Georgia
 ParticipantIDs: 4734558599

FOR USE BY SUPERIOR CLERK OF COURT

LEGEND

MEASUREMENT NOTE
 DIMENSIONS ENCLOSED BY " () " ARE
 RECORD AND NOTED IN THE "RECORD DOCUMENT INDEX". ALL
 OTHER DIMENSIONS ARE ACTUAL
 BASED ON FIELD MEASUREMENTS.

EXAMPLE:
 (135.26') - RECORD DIMENSION

ABBREVIATIONS
 AC = ACRE
 ASPH = ASPHALT
 BSL = BUILDING LINE
 BOC = BACK OF CURB
 CB = CHORD BEARING
 CH = CHORD
 CONC = CONCRETE
 CMP = CORRUGATED METAL PIPE
 DB = DEED BOOK
 DE = DRAINAGE EASEMENT
 DIP = DUCTILE IRON PIPE
 ELEV = ELEVATION
 ESMT = EASEMENT
 FFE = FINISHED FLOOR ELEVATION
 HW = HEAD WALL
 IE = INVERT ELEVATION
 JB = JUNCTION BOX
 L = ARC LENGTH
 HC = HANDICAPPED
 NF = NOW OR FORMERLY
 OCS = OUTLET CONTROL STRUCTURE
 PB = PLAT BOOK
 PG = PAGE
 PID=TAX PARCEL IDENTIFICATION NUMBER
 POC = POINT OF COMMENCEMENT
 POB = POINT OF BEGINNING
 PVC = POLYVINYL CHLORIDE PIPE
 R = RADIUS
 RCP = REINFORCED CONCRETE PIPE
 ROW = RIGHT OF WAY
 SF = SQUARE FEET
 SPG = STATE PLANE GRID
 SSE = SANITARY SEWER EASEMENT
 WE = WATER EASEMENT

ELEVATIONS
 + 608.17 - SPOT ELEVATION

SYMBOL KEY

- ⊙ - BOLLARD
- ⊙ - CABLE TV PEDESTAL
- △ - CALCULATED POINT
- ⊙ - CATCH BASIN (SINGLE)
- ⊙ - CATCH BASIN (DOUBLE)
- ▲ - CENTRAL ANGLE (DELTA)
- ▲ - CONIFEROUS TREE
- - CURB INLET
- - DECIDUOUS TREE
- - DROP INLET
- ⊙ - ELECTRICAL MANHOLE
- ⊙ - ELECTRIC METER
- ⊙ - ELECTRICAL TRANSFORMER
- ⊙ - FIRE HYDRANT
- ⊙ - GAS VALVE
- ⊙ - GAS METER
- ⊙ - GAS PEDESTAL
- ⊙ - GUY ANCHOR WIRE
- ⊙ - HEADWALL
- ⊙ - JUNCTION BOX MANHOLE
- ⊙ - LAND LOT NUMBER
- ⊙ - LIGHT POLE
- ⊙ - LOT NUMBER
- ⊙ - MAIL BOX
- ⊙ - CAPPED RE-BAR SET MSC
- ⊙ - MONUMENT FOUND
- ⊙ - CONCRETE MONUMENT FOUND
- ⊙ - ROOF DRAIN
- ⊙ - SANITARY SEWER CLEANOUT
- ⊙ - SANITARY SEWER MANHOLE
- ⊙ - SHRUB OR BUSH
- ⊙ - SIGN (ONE POLE)
- ⊙ - SIGN (TWO POLES)
- ⊙ - SITE BENCHMARK
- 231 - STREET ADDRESS
- ⊙ - TELEPHONE BOX
- ⊙ - TELEPHONE MANHOLE
- ⊙ - TRAFFIC POLE
- ⊙ - UTILITY POLE
- ⊙ - WATER METER
- ⊙ - WATER VALVE
- ⊙ - YARD/GRATE INLET

OWNER / DEVELOPER:
 TRATON HOMES
 720 KENNESAW AVE
 MARIETTA, GA 30060
 770.427.9064

LAND SURVEYOR:
 MITCHELL SURVEYING & CONSULTING
 3201 SOUTH CHEROKEE LANE, STE 310
 WOODSTOCK, GA 30188
 770.924.2955

NO STREET PARKING HAS
 BEEN APPROVED FOR THIS
 DEVELOPMENT

SHEET INDEX

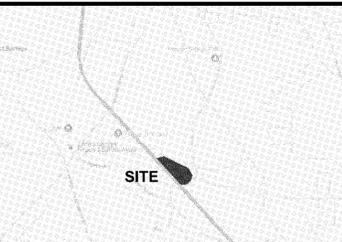
SHEET 1	-	COVER
SHEET 2	-	NOTES
SHEET 3	-	TABLES
SHEET 4	-	PLAN
SHEET 5	-	PLAN

UTILITY CONTACT INFORMATION
 (TAKEN FROM CONSTRUCTION PLANS)

UTILITY	COMPANY	TELEPHONE
POWER	COBB EMC	770.429.2100
WATER	CCWS	770.419.6200
SEWER	CCWS	770.419.6200
GAS	ATLANTA GAS & LIGHT	800.427.5463
TELEPHONE	AT&T	800.288.2020
CABLE	COMCAST	800.934.6489

DEVELOPMENT STANDARDS SUMMARY CHART

ZONING	
Present Zoning	= PUD-R (PLANNED URBAN DEV)
Proposed Use	= Single-Family Residential
Zoning Ordinance	= Case PZ #22-003 (Sheet 2)
AREA	
Overall Site Area	= 13.81 Acres
R/W Dedication	= 2.231 Acres
SETBACKS	
Perimeter (Buffer)	= 35 Feet
Front (from ROW)	= 15 Feet
Side	= 0 Feet
Rear	= 20 Feet
Between Bldgs (Min.)	= 15 Feet



VICINITY MAP (NTS)

SURVEYOR'S NOTES

EQUIPMENT AND FIELD SURVEY STATEMENT
 TYPE OF EQUIPMENT: TOPCON GTS-233W TOTAL STATION &
 SPECTRA PRECISION EPOCH 50 DUAL BAND GPS RECEIVER ON
 THE eGPS NETWORK.
 FIELD SURVEY COMPLETED: 11/02/2022

DATUM
 HORIZONTAL: STATE PLANE GRID (NAD83 - GA WEST)
 VERTICAL: MEAN SEA LEVEL (WVD 88 - GEOID 12A)
 ESTABLISHED BY GPS OBSERVATIONS.

PREDICTED POSITIONAL ERROR
 +/- (0.03 + 1.10.000) HORIZONTAL
 +/- (0.06 + 1.10.000) VERTICAL
 BASED ON A COMBINATION OF GPS AND CONVENTIONAL TOTAL
 STATION ERROR ESTIMATES.

CLOSURE STATEMENT
 THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED WAS
 ADJUSTED USING LEAST SQUARES. THE RELATIVE POSITIONAL
 PRECISION OF ALL MEASURED PROPERTY MONUMENTS SHOWN
 AS PART OF THIS SURVEY ACHIEVE THE 95% CONFIDENCE
 LEVEL (2 STANDARD DEVIATIONS).

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND
 IS FOUND TO BE ACCURATE WITHIN:

WESTPARK PLACE S/D CLOSURE: 1:80,254

FLOOD ZONE
 BASED ON GRAPHICAL INTERPRETATION THIS PROPERTY IS
 SITUATED IN UNSHADED FLOOD ZONE "X" (AREAS DETERMINED
 TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AND
 A PORTION OF THE PROPERTY IS LOCATED WITHIN A SHADED
 ZONE "A" (AREAS WITH BASE FLOOD ELEVATIONS DETERMINED)
 AS DEPICTED ON NFIP FLOOD INSURANCE RATE MAPS
 13067C0177 G, DATED 12/16/2008 AND 13067C0179, 13067C0181 H
 & 13067C0183 H DATED 03/04/2013. USER OF THIS MAP IS
 CAUTIONED THAT A MORE PRECISE FLOOD DELINEATION MAY
 BE NEEDED TO VERIFY INFORMATION FROM A MAP
 REVISIONS, IF ANY, ARE NOT ADDRESSED AS PART OF THIS
 SURVEY)

ZONING
 PUD-R (PLANNED URBAN DEVELOPMENT - RESIDENTIAL).
 ZONING SHOWN HEREON IS BASED ON ZONING CASE PZ
 #22-003 AND IS SHOWN FOR INFORMATION ONLY. SURVEYOR
 MAKES NO WARRANTY AS TO THE EFFECT OF ZONING TO THE
 CURRENT OR FUTURE USE OF THE SUBJECT PROPERTY. USER
 OF THIS MAP IS HEREBY CAUTIONED TO CONSULT THE
 APPROPRIATE GOVERNING BODY FOR FINAL INTERPRETATION
 CONCERNING ZONING.

TITLE
 THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT
 ABSTRACT OF TITLE. THEREFORE THERE MAY BE OTHER
 RESTRICTIONS, EASEMENTS, SETBACKS, AGREEMENTS, OR
 OTHER SIMILAR MATTERS NOT SHOWN HEREON. ALL MATTERS
 OF TITLE ARE EXCEPTED.

IMPROVEMENTS
 ONLY NON-MOBILE AND SUBSTANTIAL "MAN MADE" SURFACE
 STRUCTURAL IMPROVEMENTS ARE SHOWN HEREON.
 FEATURES SUCH AS STREAMS, DRAINAGE COURSES, OR
 VEGETATION ARE NOT SHOWN UNLESS THEY FORM PART OF
 THE BOUNDARY LIMITS. CAUTION - FEATURES SHOWN INSIDE
 ROAD RIGHT-OF-WAY LIMITS ARE FOR INFORMATION ONLY AND
 MAY OR MAY NOT COMPRISE ALL IMPROVEMENTS OR UTILITIES.

UTILITIES
 UNDERGROUND UTILITIES THAT ARE SHOWN HEREON ARE
 BASED UPON FIELD SURFACE OBSERVATIONS, COBB COUNTY &
 POWDER SPRINGS GIS DATA AND AVAILABLE INFORMATION ON
 HAND AT THE TIME OF THE SURVEY. NOTICE IS
 HEREBY GIVEN THAT "GEORGIA ONE CALL" UTILITY LOCATION
 SERVICE (1-800-282-7411) SHOULD BE NOTIFIED PRIOR TO ANY
 EXCAVATION OF THE SITE.

STREAMS, BODIES OF WATER, & WETLANDS
 ALL STREAMS, BODIES OF WATER, AND WETLANDS MAY BE
 SUBJECT TO STATE, COUNTY, AND LOCAL BUFFERS OR
 RESTRICTIONS. SURVEYOR MAKES NO INTERPRETATION
 REGARDING THESE BUFFERS OR RESTRICTIONS. USER OF THIS
 MAP IS CAUTIONED TO CONSULT WITH THE APPROPRIATE
 GOVERNING AUTHORITIES CONCERNING POSSIBLE BUFFERS
 OR RESTRICTIONS.

ARCHAEOLOGICAL & HISTORIC
 UNLESS SHOWN HEREON, NO CEMETERIES, ARCHEOLOGICAL
 OR ARCHITECTURAL LANDMARKS ARE KNOWN TO EXIST ON THIS
 SITE. HOWEVER, SURVEYOR HAS NOT EXCAVATED THE SITE OR
 CONSULTED WITH A QUALIFIED PROFESSIONAL IN THIS FIELD
 FOR ABSOLUTE CONFORMANCE.

REFERENCE INFORMATION
 CONSTRUCTION PLANS FOR "WESTPARK PLACE" PERFORMED
 BY RIDGE PLANNING AND ENGINEERING, STAMPED AND
 SEALED BY JOHN ROBERT MORGAN (GA PE #2583), DATED
 NOVEMBER 18, 2022 AND LAST REVISED MAY 15, 2023.

LEWIS ROAD COMBINATION PLAT FOR OGLESBY ROAD GROUP,
 LLC AND LEWIS ROAD DEVELOPMENT, LLC, PERFORMED BY
 MITCHELL SURVEYING AND CONSULTING (LSF # 1191),
 STAMPED AND SEALED BY CHARLES R. MITCHELL (GA RLS
 #3240), DATED SEPTEMBER 21, 2023 AND LAST REVISED
 NOVEMBER 13, 2023, RECORDED IN PLAT BOOK 282, PAGES
 427-430 IN COBB COUNTY SUPERIOR CLERK OF COURTS.

COBB COUNTY PERMIT #SPR-2022-00516
POWDER SPRINGS PERMIT #22PDR-LDP00016

RIGHT OF WAY NOTES:

ALL PARKING AREAS AND SUBSEQUENT LANDSCAPING LYING WITHIN
 THE PUBLIC RIGHT OF WAY ARE THE SOLE RESPONSIBILITY OF THE
 HOMEOWNERS ASSOCIATION

ALL ROADS TO BE DEEDED TO THE CITY OF POWDER SPRINGS BY
 RIGHT OF WAY DEED AFTER A MAINTENANCE PERIOD OUTLINED IN THE
 UNIFIED DEVELOPMENT CODE

**WATER AND SANITARY SEWER SERVICES
 ARE PROVIDED THROUGH THE COBB COUNTY
 WATER AND SEWER SYSTEMS AND SYSTEM
 TIE-INS ARE SHOWN ON THE AS-BUILT RECORD
 DRAWINGS SUBMITTED TO COBB COUNTY**

STORMWATER MANAGEMENT FACILITY:
 100YR PONDING: 924.65'
 100YR VOLUME: 58,491 C.F.

FINAL PLAT
FOR
WILDWOOD PLACE SUBDIVISION
(FKA WESTPARK PLACE)
 SITUATED IN LAND LOTS 1024, 1049 & 1050
 19th DISTRICT, 2nd SECTION
 CITY OF POWDER SPRINGS
 COBB COUNTY, GEORGIA

DEED RESTRICTIONS & COVENANTS NOTE:
 THIS SUBDIVISION IS SUBJECT TO THE COVENANTS AND DEED
 RESTRICTIONS OUTLINED IN DB 16223, PG 4980 RECORDED IN COBB
 COUNTY, GA SUPERIOR CLERK OF COURT.

HVAC VISIBILITY NOTE:
 ALL HEATING AND AIR CONDITIONING EQUIPMENT SHALL BE LOCATED
 IN REAR OF LOTS OR SCREENED FROM VIEW WITH LANDSCAPING OR
 DECORATIVE FENCING SUBJECT TO REVIEW

ARTICLE 10, SEC 10-17 (C):
 10-17(C) HEATING AND AIR CONDITIONING EQUIPMENT, ALL HEATING
 AND AIR CONDITIONING EQUIPMENT AND COMPONENTS (INCLUDING
 DUCTWORK), ALL ELECTRICAL, VENTILATION, PLUMBING, AND OTHER
 SERVICE FACILITIES SHALL BE DESIGNED AND/OR LOCATED 3 FEET
 ABOVE THE BASE FLOOD ELEVATION OR 1 FOOT ABOVE THE
 FUTURE-CONDITIONS FLOOD ELEVATION, WHICHEVER IS HIGHER, SO
 AS TO PREVENT WATER FROM ENTERING OR ACCUMULATING WITHIN
 THE COMPONENTS DURING CONDITIONS OF FLOODING.

ARTICLE 10, SEC 10-42 (M):
 10-42(M) ALL APPROPRIATE CERTIFICATIONS REQUIRED UNDER THIS
 ARTICLE, THE APPROVED FLOODPLAIN MANAGEMENT/FLOOD DAMAGE
 PREVENTION PLAN SHALL CONTAIN CERTIFICATION BY THE APPLICANT
 THAT ALL DEVELOPMENT ACTIVITIES WILL BE PERFORMED ACCORDING
 TO THE PLAN OR PREVIOUSLY APPROVED REVISIONS.

COBB COUNTY WATER SYSTEM APPROVAL:
 THIS PLAT, HAVING BEEN SUBMITTED TO COBB COUNTY WATER SYSTEM AND HAVING BEEN
 FOUND TO COMPLY WITH THE COBB COUNTY DEVELOPMENT STANDARDS IS APPROVED FOR
 RECORDING.

Mel Watt 10/8/24
COBB COUNTY WATER SYSTEM DATE

CERTIFICATE OF FINAL PLAT APPROVAL (CITY OF POWDER SPRINGS, COBB COUNTY, GEORGIA):
 ALL APPLICABLE REQUIREMENTS OF THE POWDER SPRINGS UNIFIED DEVELOPMENT CODE
 RELATIVE TO FINAL PLATS HAVING BEEN FULFILLED, APPROVAL OF THIS IS HEREBY GRANTED BY
 THE POWDER SPRINGS DIRECTOR OF COMMUNITY DEVELOPMENT AND IS ENTITLED TO BE
 RECORDED.

Steve Garner
DIRECTOR OF COMMUNITY DEVELOPMENT DATE

Dwayne Eberhart
DIRECTOR OF PUBLIC WORKS DATE

Allen Pearson
MAYOR, CITY OF POWDER SPRINGS DATE

SURVEYOR'S ACKNOWLEDGMENT AND CERTIFICATION

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN
 ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTS
 SHOWN THEREON ACTUALLY EXIST.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN
 95,926 FEET, AND AN ANGULAR ERROR OF 01' PER ANGLE POINT AND WAS ADJUSTED USING
 COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE
 FOOT IN 80,284 FEET.

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY
 A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS
 EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH
 APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL
 BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL.
 FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH
 THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE
 RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL
 ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Charles R. Mitchell 05.24.2024
 GEORGIA REGISTERED LAND SURVEYOR PLS # 3240 DATE

OWNER'S CERTIFICATE AND DEDICATION
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND SHOWN ON THIS PLAT (OR A DULY
 AUTHORIZED AGENT THEREOF) WHOSE NAME IS SUBSCRIBED HERETO. I ACKNOWLEDGE
 THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND FOR VALUE RECEIVED THE
 SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, I DO HEREBY CONVEY TO COBB
 COUNTY, GEORGIA ALL WATER MAINS, WATER LINES, SANITARY SEWER LINES AND THE
 LIKE TO FUNCTION AS PART OF THE COBB COUNTY WATER SYSTEM AND FURTHER CONVEY
 ALL STREETS AND RIGHTS-OF-WAY AND MAJOR STORMWATER EASEMENTS INDICATED AS
 STORMWATER STRUCTURES TO THE FIRST JUNCTION BOX OR WHERE WATER COMBINES
 WITH A PRIVATE SYSTEM, SHOWN HEREON IN FEE SIMPLE TO THE CITY OF POWDER
 SPRINGS AND FURTHER DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL ALLEYS,
 PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES HEREON SHOWN FOR
 THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED. DRAINAGE EASEMENTS AND
 STORMWATER PONDS ARE DEDICATED TO ALLOW WATER TO FLOW AND ARE TO BE
 MAINTAINED BY THE OWNER OF THE PROPERTY. IN CONSIDERATION OF THE APPROVAL OF
 THIS FINAL PLAT AND OTHER VALUABLE CONSIDERATIONS, I FURTHER RELEASE AND HOLD
 HARMLESS THE CITY OF POWDER SPRINGS AND COBB COUNTY FROM ANY AND ALL CLAIMS,
 DAMAGES, OR DEMANDS ARISING: ON ACCOUNT OF THE DESIGN, CONSTRUCTION, AND
 MAINTENANCE OF THE PROPERTY SHOWN HEREON; ON ACCOUNT OF THE ROADS, FILLS,
 EMBANKMENTS, DITCHES, CROSS DRAINS, CULVERTS, WATER MAINS, SEWER LINES, AND
 BRIDGES WITHIN THE PROPOSED RIGHTS-OF-WAY AND EASEMENTS SHOWN; AND ON
 ACCOUNT OF BACKWATER, THE COLLECTION AND DISCHARGE OF SURFACE WATER, OR
 THE CHANGING OF COURSES OF STREAMS.

AND FURTHER, I WARRANT THAT I OWN FEE SIMPLE TITLE TO THE PROPERTY SHOWN
 HEREON AND AGREE THAT THE CITY OF POWDER SPRINGS AND COBB COUNTY SHALL NOT BE
 LIABLE TO ME, MY HEIRS, SUCCESSORS, OR ASSIGNS FOR ANY CLAIMS OR DAMAGES
 RESULTING FROM THE CONSTRUCTION OR MAINTENANCE OF CROSS DRAIN EXTENSIONS,
 DRIVES, STRUCTURES, STREAMS, CULVERTS, CURBS, OR SIDEWALKS, THE CHANGING OF
 COURSES OF STREAMS AND RIVERS, FLOODING FROM NATURAL CREEKS AND RIVERS,
 SURFACE WATERS, AND ANY OTHER MATTER WHATSOEVER. I FURTHER WARRANT THAT I
 HAVE THE RIGHT TO SELL AND CONVEY THE LAND ACCORDING TO THIS PLAT AND DO
 HEREBY BIND OWNERS AND MYSELF SUBSEQUENT IN TITLE TO DEFEND BY VIRTUE OF
 THESE PRESENTS.

Charles R. Mitchell 07.28.2024
 PLAT

Charles R. Mitchell 07.28.2024
 PLAT

ARTICLE 10, SEC 10-43 (A, B & D)

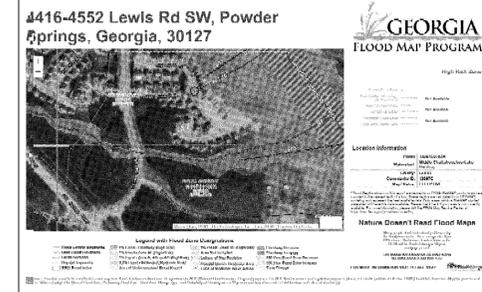
10-43(A) THE PERMIT HOLDER SHALL PROVIDE TO THE COMMUNITY
 DEVELOPMENT DIRECTOR AN AS-BUILT ELEVATION CERTIFICATE OR
 (IF NON-RESIDENTIAL CONSTRUCTION) A FLOODPROOFING
 CERTIFICATE S FOR ALL NEW CONSTRUCTION AND SUBSTANTIAL
 IMPROVEMENTS ON SITES WITH A FLOODPLAIN MANAGEMENT/FLOOD
 DAMAGE PREVENTION PLAN.

10-43(B) SUCH CERTIFICATE SHALL INCLUDE THE LOWEST FLOOR
 ELEVATION OR FLOOD PROOFING LEVEL AND SHALL BE PROVIDED TO
 THE COMMUNITY DEVELOPMENT DIRECTOR IMMEDIATELY AFTER THE
 LOWEST FLOOR OR FLOOD PROOFING IS COMPLETED. A FINAL
 ELEVATION CERTIFICATE SHALL BE PROVIDED AFTER COMPLETION
 OF CONSTRUCTION, INCLUDING FINAL GRADING OF THE SITE. ANY
 LOWEST FLOOR CERTIFICATION MADE RELATIVE TO MEAN SEA LEVEL
 SHALL BE PREPARED BY OR UNDER THE DIRECT SUPERVISION OF A
 LICENSED LAND SURVEYOR OR PROFESSIONAL ENGINEER AND
 CERTIFIED BY SAME.

10-43(D) ANY WORK UNDERTAKEN PRIOR TO APPROVAL OF THESE
 CERTIFICATIONS SHALL BE AT THE PERMIT HOLDER'S RISK. THE
 COMMUNITY DEVELOPMENT DIRECTOR SHALL REVIEW THE ABOVE
 REFERENCED CERTIFICATION DATA SUBMITTED. DEFICIENCIES
 DETECTED BY SUCH REVIEW SHALL BE CORRECTED BY THE PERMIT
 HOLDER IMMEDIATELY AND PRIOR TO ANY FURTHER WORK BEING
 ALLOWED TO PROCEED. FAILURE TO SUBMIT CERTIFICATION OR
 FAILURE TO MAKE THE CORRECTIONS REQUIRED HEREBY SHALL
 CAUSE THE ISSUANCE OF A STOP WORK ORDER FOR THE PROJECT.

FEMA FLOOD MAP (NTS)

FIRM PANELS:	EFFECTIVE DATE
13067C0177 G	12/16/2008
13067C0179 H	03/04/2013
13067C0181 H	03/04/2013
13067C0183 H	03/04/2013



MITCHELL SURVEYING & CONSULTING, LLC
 Surveying • Construction Layout • Consulting
 3201 South Cherokee Lane • Suite 310
 Woodstock, GA 30188
 Tel. 770-924-2955 Fax: 770-485-9073
 Email: cmitchell@msc-survey.com

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 document shall not be the responsibility of the Surveyor.

PREPARED FOR
TRATON HOMES
 720 KENNESAW AVE
 MARIETTA, GA 30060

FINAL PLAT
WILDWOOD PLACE
SUBDIVISION
 (FKA WESTPARK S/D)
 SITUATED IN LAND LOTS 1024, 1049 & 1050
 19th DISTRICT, 2nd SECTION
 CITY OF POWDER SPRINGS
 COBB COUNTY, GEORGIA



05 / 24 / 2024

SHEET RECORD

DATE	DESCRIPTION
05/24/2024	ISSUED
08/20/2024	2nd Sub - COMMENTS
09/09/2024	3rd Sub - COMMENTS
08/26/2024	4th Sub - COMMENTS
09/11/2024	5th Sub - COMMENTS

DRAWING INFORMATION
 CAD FILE: 22083.10-FINAL-1.DWG
 DRAWN BY: RPH CHECKED BY: CRM

SHEET NAME:

COVER

COPYRIGHT:
This document is the property of Mitchell Surveying & Consulting, LLC (Surveyor) and shall not be used for any purpose other than the specific project named herein.

PREPARED FOR

TRATON HOMES
720 KENNESAW AVE
MARIETTA, GA 30060

FINAL PLAT
WILDWOOD PLACE
SUBDIVISION
(FKA WESTPARK S/D)
SITUATED IN LAND LOTS 1024, 1049 & 1050
19th DISTRICT, 2nd SECTION
CITY OF POWDER SPRINGS
COBB COUNTY, GEORGIA



05 / 24 / 2024

SHEET RECORD

Table with columns: DATE, DESCRIPTION, ISSUED. Rows include dates from 05/24/2024 to 09/11/2024 and descriptions like '2nd Sub - COMMENTS'.

DRAWING INFORMATION

CAD FILE: 22083.10-FINAL-1.DWG
DRAWN BY: RPH CHECKED BY: CRM

SHEET NAME:

NOTES

NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT

OWNER / DEVELOPER:

TRATON HOMES
720 KENNESAW AVE
MARIETTA, GA 30060
770.427.9064

GENERAL CONTRACTOR:

INTEGRITY CONSTRUCTION MANAGEMENT
1690 OLD 41 HWY NW
MARIETTA, GA 30064
706.618.3439

CIVIL ENGINEER:

RIDGE PLANNING AND ENGINEERING
6234 OLD HWY 5, STE D9-250
WOODSTOCK, GA 30188
770.938.9000

LAND SURVEYOR:

MITCHELL SURVEYING & CONSULTING
3201 SOUTH CHEROKEE LANE, STE 310
WOODSTOCK, GA 30188
770.924.2955

Memorandum

Date: September 19, 2022.
To: Mayor and Council
From: Community Development
Subject: PZ 22-003. Rezoning Request: Lewis / Oglesby Road. To consider rezoning from CRC to PUD-R, the property located at 4596 Lewis Road and 4401 Oglesby Road (portion) and C.H. James parkway, within the 19th District, 2nd Section, Land Lots 1049 and 1050, Cobb County, Georgia.

- A motion to APPROVE with the following conditions:
1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. The Subject Property shall be developed in substantial conformity to that certain revised site plan the went through the external review process with TSW, prepared by Ridge Planning and Engineering dated 11/22/2021, last revised 08/16/2022.
3. The recreation areas shall feature premium amenities. Such area shall be developed with at least one recreational feature such as a pavilion, cabana, gazebo, picnic area, swimming pool, playground, or tennis courts; in addition to the walking trails.
4. All areas located in the floodplain and undisturbed stream buffer shall be placed in a conservation easement.
5. Maximum height of homes shall be 35'; and for three-story, rear-loaded homes, the maximum height of 35' shall be measured from the front grade to the average height between the eaves and ridge of a gable.

- 6. The approval of following variance requests is included with the approval of the rezoning request to PUD-R:
1. Variance to Sec 12 -13 to waive requirement to maintain 75% of existing tree canopy.
2. Variance to allow minimum horizontal road centerline radius of 37 feet.
7. All residential units shall have two-car garages, and the parking pads/driveway in front of the garage shall be greater than or = 22-feet in length.
8. Front porches shall be a minimum of 6-feet deep, with a minimum total area of 40-square feet.
9. To ensure uniformity and quality, fencing within the proposed community shall be controlled and maintained by the Homeowners' Association; except where individual residents have obtained prior approval by the Homeowners' Association and any individual fencing is of the same quality and style for purposes of uniformity.
10. The setback are as follows:
Front: 15 feet from right-of-way
Perimeter: 35 feet setback
Between buildings: Minimum of 15 feet
Design Review shall be conducted via Administrative Review.
11. Units must be staggered to the extent required by code, they must provide some staggering or variation as approved by an Administrative Design Review.
12. The architectural style and composition of the homes will be subject TSW review, and shall consist of traditional architecture on all sides, consistent with the product images submitted. Variety in the neighborhood will be provided using stone and different shades of brick, and by mixing front facades of 50% brick and 100% brick as shown in submitted product images.

- 13. The creation of a mandatory Homeowners' Association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs") during the Plan Review process, which shall include, among other components, strict architectural controls. The mandatory HOA shall be responsible for the maintenance and upkeep of fencing, landscaping, open space areas, sidewalks, community areas, stormwater detention and/or water quality ponds, lighting, the entrance to the Residential Community and any amenities.
14. The submission of a landscape plan during the Plan Review process which shall be subject to review and approval by the Community Development Director. Additionally, the landscape plan shall include, but not necessarily be limited to, the following:
a. Detention pond landscaping and screening plan for around the proposed detention and water quality areas with Cryptomeria, Arborvitae and/or other evergreen trees.
b. Planting plan for a twenty-five-foot (25') landscape buffer around the perimeter of the Subject Property.
c. Compliance with landscape section renderings/elevations which will be submitted under separate cover during the Plan Review process.
d. The Landscape plan, which shall be prepared, stamped and signed by a Georgia Registered Landscape Architect or a degree Horticulturist and shall identify open space areas; landscaped common areas; and other components of the proposed Residential Community which will be further identified during the Plan Review process.
e. The installation of underground utilities and the utilization of decorative lighting themed to the architectural style and composition as above mentioned.
f. All HVAC, mechanical systems and home utilities within the community shall be screened by way of fencing and/or landscaping.
g. Entry signage for the proposed Residential Community shall be ground-based, monument-style, landscaped, lighted and irrigated.
h. The installation of landscaped front, side and rear yards.
i. Compliance with the City's current Tree Preservation & Replacement Ordinance and substantial conformity to all tree protection measures and the adherence to same during the construction and build out of the Residential Community.
15. A third-party management company shall be hired to manage the day-to-day operations of the HOA and shall also be responsible for the management of all Association monies as well as insuring that the Association is properly insured until such time as the HOA makes a determination that it can undertake such responsibilities.

- 16. The Community Development Director shall have the authority to approve minor modifications to these stipulations, the architectural renderings/elevations, the site plan and the overall proposal as it proceeds through the Plan Review process and thereafter except for those that:
a) Increase the density of the Residential Community.
b) Relocate a structure closer to the property line of adjacent property which is zoned the same or in a more restrictive zoning district.
c) Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.
d) Change access locations to different rights-of-way.
17. Road frontages will be heavily and professionally landscaped which may include the use of berms, fencing, and substantial plant material to provide for visual screening. All perimeter and roadway buffer areas will either be owned by the HOA or deed restricted with maintenance easements in favor of the HOA.
18. Perimeter fencing shall be required to buffer the detention pond area, at minimum. Fencing should not be of a wooden privacy fence type, unless approved by Administrative Design Review; and regardless, all fencing shall be subject to administrative design review and approval.
19. Declarant or any builder construction homes within the proposed community must sell any such home for owner occupancy only. Thereafter, leasing of any units within the entire development, with a minimum lease term of one (1) year. The mandatory homeowners association must maintain records dealing with any lease within the Development, and such records shall be subject to review by the City of Powder Springs personnel with regard to enforcement of this provision limiting the total number of leases within the Development to no more than 5%. The homeowner association shall agree to provide, upon request to the City of Powder Springs, and all information relating to existing leases at the time of any such request by the City. The City shall be named a third-party beneficiary entitles to enforce this provision of the covenants.
20. Traffic impacts will be reviewed as part of the LDP process. Applicant agrees to offsite improvements necessitated by this development. All streets shall be public streets.
21. If the development on the site stalls for a period of 6 months or more, the site be replanted per a plan approved by the Community Development Director showing compliance with minimum tree canopy, street trees and buffer requirements.

So motioned, this 19th day of September 2022.

Attest: Kelly Axt, City Clerk

Albert Thurman, Mayor
Patrick Bordeon, Council Member
Doris Dawkins, Council Member
Patricia Wisdom, Council Member
Henry Lutz, Council Member
Dwayne Green, Council Member

Table with columns: Powder Springs, Admin Variance. Includes address: 4181 Atlanta Street, Building 4, P.O. Box 46, Powder Springs, GA 30127. Phone: (770) 943-8001. Fax: 23PDR-ADVVAR00001.

Table with columns: Date Issued, Expiration Date, Job Site Address, Category, Permit Type. Values: 04/24/2023, 10/21/2023, 4596 Lewis Rd, Powder Springs, GA 30127, Zoning, Admin Variance.

Description of Work:
1. Reduce front setbacks on units 1-12 and 60-65. This is necessitate; due to the rear loaded units having an overhang that extends over the driveway with posts that would be over the 15' building line.
2. Reduce side setback on unit 47 due to the impervious setback and unit 1 due to the 35' perimeter setback not allowing the moving of the units west.

Table with columns: Parcel ID, Required Setbacks, Actual Setbacks, Fee Items, Amount. Total Fees: \$ 1,100.00.

NOTICE
Any county or municipal building permit, construction permit, including but not limited to mechanical, plumbing, or electrical permits; If disconnect and reconnect is required for this permit please notify our office immediately with date of service to ensure proper coordination. Call (770) 943-1655. The issuance of this permit authorizes improvements of the real property designed herein which improvements may subject such property to mechanics' and materialmen's liens pursuant to Part 3 of Article 6 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated. In order to protect any interest in such property and to avoid encumbrances thereon, the owner or any person with an interest in such property should consider contacting an attorney or purchasing a consumer's guide to the lien laws which may be available at building supply home centers.

FOR USE BY SUPERIOR CLERK OF COURT

LEGEND

MEASUREMENT NOTE
DIMENSIONS ENCLOSED BY () ARE RECORD AND NOTED IN THE "RECORD DOCUMENT INDEX." ALL OTHER DIMENSIONS ARE ACTUAL, BASED ON FIELD MEASUREMENTS.

EXAMPLE:
(135.26) - RECORD DIMENSION

ABBREVIATIONS
AC = ACRE
ASPH = ASPHALT
BSL = BUILDING LINE
BOC = BACK OF CURB
CB = CHORD BEARING
CH = CHORD
CONC = CONCRETE
CMP = CORRUGATED METAL PIPE
DB = DEED BOOK
DE = DRAINAGE EASEMENT
DIP = DUCTILE IRON PIPE
ELEV = ELEVATION
ESMT = EASEMENT
FFE = FINISHED FLOOR ELEVATION
HW = HEAD WALL
IE = INVERT ELEVATION
JB = JUNCTION BOX
L = ARC LENGTH
HC = HANDICAPPED
N/F = NOW OR FORMERLY
OCS = OUTLET CONTROL STRUCTURE
PB = PLAT BOOK
PG = PAGE
PID=TAX PARCEL IDENTIFICATION NUMBER
POC = POINT OF COMMENCEMENT
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PVC = POLYVINYL CHLORIDE PIPE
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RW = RIGHT-OF-WAY
SF = SQUARE FEET
SPG = STATE PLANE GRID
SSE = SANITARY SEWER EASEMENT
WE = WATER EASEMENT

ELEVATIONS
+ 608.17 - SPOT ELEVATION

SYMBOL KEY

- BOLLARD
CABLE TV PEDESTAL
CALCULATED POINT
CATCH BASIN (SINGLE)
CATCH BASIN (DOUBLE)
CENTRAL ANGLE (DELTA)
CONFEROUS TREE
CURB INLET
DECIDUOUS TREE
DROP INLET
ELECTRICAL MANHOLE
ELECTRIC METER
ELECTRICAL TRANSFORMER
FIRE HYDRANT
GAS VALVE
GAS METER
GAS PEDESTAL
GLY ANCHOR WIRE
HEADWALL
JUNCTION BOX MANHOLE
LAND LOT NUMBER
LIGHT POLE
LOT NUMBER
MAIL BOX
CAPPED RE-BAR SET MSC
MONUMENT FOUND
CONCRETE MONUMENT FOUND
ROOF DRAIN
SANITARY SEWER CLEANOUT
SANITARY SEWER MANHOLE
SHRUB OR BUSH
SIGN (ONE POLE)
SIGN (TWO POLES)
SITE BENCHMARK
STREET ADDRESS
TELEPHONE BOX
TELEPHONE MANHOLE
TRAFFIC POLE
UTILITY POLE
WATER METER
WATER VALVE
YARD/GRATE INLET

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PREPARED FOR
TRATON HOMES
 720 KENNESAW AVE
 MARIETTA, GA 30060

FINAL PLAT
WILDWOOD PLACE SUBDIVISION
 (FKA WESTPARK S/D)
 SITUATED IN LAND LOTS 1024, 1049 & 1050
 19th DISTRICT, 2nd SECTION
 CITY OF POWDER SPRINGS
 COBB COUNTY, GEORGIA



05 / 24 / 2024

SHEET RECORD

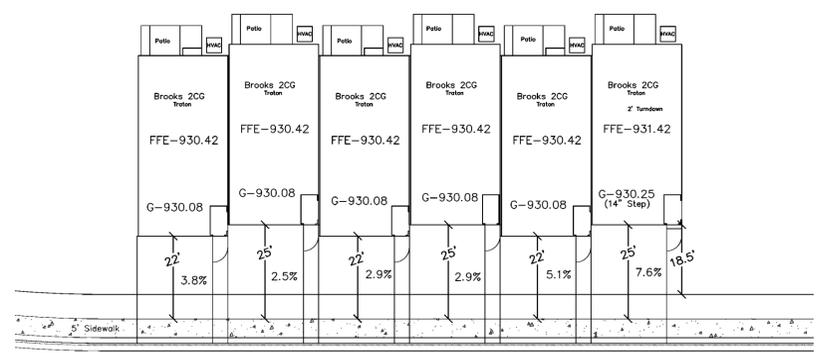
DATE	DESCRIPTION	ISSUED
05/24/2024		
06/20/2024	2nd Sub - COMMENTS	
08/09/2024	3rd Sub - COMMENTS	
08/26/2024	4th Sub - COMMENTS	
09/11/2024	5th Sub - COMMENTS	

DRAWING INFORMATION
 CAD FILE: 22083.10-FINAL-1.DWG
 DRAWN BY: RPH CHECKED BY: CRM

SHEET NAME:

TABLES

TYPICAL UNIT LAYOUT (STAGGERED UNITS TYPICAL)



NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT

OWNER / DEVELOPER:
 TRATON HOMES
 720 KENNESAW AVE
 MARIETTA, GA 30064
 770.427.9064

GENERAL CONTRACTOR:
 INTEGRITY CONSTRUCTION MANAGEMENT
 1690 OLD 41 HWY NW
 MARIETTA, GA 30064
 706.618.3439

CIVIL ENGINEER:
 RIDGE PLANNING AND ENGINEERING
 6234 OLD HWY 5, STE D9-250
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LAND SURVEYOR:
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 3201 SOUTH CHEROKEE LANE, STE 310
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LEGEND

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 + 608.17 - SPOT ELEVATION

SYMBOL KEY

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- △ - CALCULATED POINT
- ⊕ - CATCH BASIN (SINGLE)
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- ⊕ - ELECTRICAL TRANSFORMER
- 🔥 - FIRE HYDRANT
- ⊕ - GAS VALVE
- ⊕ - GAS METER
- ⊕ - GAS PEDESTAL
- ⊕ - GUY ANCHOR WIRE
- ⊕ - HEADWALL
- ⊕ - JUNCTION BOX MANHOLE
- ⊕ - LAND LOT NUMBER
- ⊕ - LIGHT POLE
- ⊕ - LOT NUMBER
- ⊕ - MAIL BOX
- ⊕ - CAPPED RE-BAR SET MSC
- ⊕ - MONUMENT FOUND
- ⊕ - CONCRETE MONUMENT FOUND
- ⊕ - ROOF DRAIN
- ⊕ - SANITARY SEWER CLEANOUT
- ⊕ - SANITARY SEWER MANHOLE
- ⊕ - SHRUB OR BUSH
- ⊕ - SIGN (ONE POLE)
- ⊕ - SIGN (TWO POLES)
- ⊕ - SITE BENCHMARK
- 231 - STREET ADDRESS
- ⊕ - TELEPHONE BOX
- ⊕ - TELEPHONE MANHOLE
- ⊕ - TRAFFIC POLE
- ⊕ - UTILITY POLE
- ⊕ - WATER METER
- ⊕ - WATER VALVE
- ⊕ - YARD/GRATE INLET

LINE TABLES

Line #	Length	Direction
L1	13.39	S75°38'06"E
L2	23.05	N57°53'41"E
L3	17.31	N81°49'20"E
L4	15.84	S51°50'37"E
L5	23.13	S85°35'27"E
L6	2.88	S60°36'06"E
L7	16.40	N66°07'19"E
L8	26.78	S78°43'43"E
L9	31.69	N11°41'04"E
L10	13.79	N79°36'44"E
L11	13.67	S33°18'24"E
L12	31.05	S77°35'31"E
L13	5.47	N70°57'08"E
L14	13.29	N12°59'47"E
L15	17.67	N63°42'03"E
L16	24.74	S68°45'32"E
L17	37.21	S14°19'50"W
L18	24.31	S58°52'11"E
L19	13.27	S20°05'29"E
L20	25.73	S34°22'38"W
L21	21.80	S13°30'54"W
L22	30.64	S27°02'01"E
L23	12.49	N75°02'47"E
L24	10.18	S71°03'12"E
L25	11.50	S60°34'00"E
L26	18.31	S24°51'16"E
L27	38.50	S51°17'40"E
L28	36.97	S36°27'42"E
L29	14.11	S66°41'44"E
L30	23.02	N48°35'42"E

Line #	Length	Direction
L31	33.06	S66°55'09"E
L32	34.69	S7°25'05"E
L33	15.36	N89°56'32"E
L34	20.41	N49°20'19"E
L35	31.04	S63°05'15"E
L36	37.67	S12°00'30"E
L37	23.18	S36°43'51"E
L38	58.52	S71°44'19"E
L39	18.05	N62°11'39"E
L40	12.01	N42°11'09"W
L41	24.88	N60°55'50"W
L42	6.17	N26°01'40"W
L43	7.53	N22°34'54"E
L44	16.87	N74°15'31"E
L45	12.99	N71°59'48"E
L46	15.53	S44°05'09"E
L47	44.23	S21°33'51"E
L48	34.53	S67°35'17"E
L49	56.66	S65°53'09"E
L50	55.47	S31°12'00"E
L51	16.24	S83°23'23"E
L52	10.17	N48°14'15"E
L53	16.88	N44°53'57"E
L54	9.03	N81°51'30"E
L55	17.14	S7°31'57"E
L56	63.67	S74°24'22"E
L57	37.93	S54°51'17"E
L58	11.28	S88°18'14"E
L59	50.83	N64°53'59"E
L60	24.41	S73°30'16"E

Line #	Length	Direction
L61	20.35	S14°48'57"E
L62	41.17	S84°55'16"E
L63	46.10	S70°03'34"E
L64	41.17	S55°16'13"E
L65	22.66	S23°40'43"E
L66	15.20	S48°09'53"E
L67	24.50	S37°52'08"E
L68	56.86	S52°34'23"E
L69	26.70	S56°36'03"E
L70	24.03	S87°57'28"E
L71	50.09	S68°51'39"E
L72	29.09	S12°03'12"W
L73	30.34	S17°00'12"E
L74	21.00	N84°11'50"E
L75	16.10	S15°40'53"E
L76	20.12	S88°17'24"E
L77	45.84	N82°14'32"E
L78	37.98	S56°20'58"E
L79	21.00	S7°45'22"E
L80	20.32	S53°57'11"E
L81	8.35	N52°12'31"E
L82	1.35	S11°13'10"W
L83	242.59	N71°15'57"W
L84	191.61	N60°49'36"W
L85	57.63	N50°50'18"W
L86	19.64	S47°32'45"W
L87	176.58	N42°26'04"W
L88	4.24	N2°33'56"E
L89	94.54	N42°26'04"W
L90	4.24	N87°26'04"W

Line #	Length	Direction
L91	23.37	N42°26'04"W
L92	760.52	S42°26'04"E
L93	73.86	N54°26'38"E
L94	62.78	N30°02'43"E
L95	89.70	S71°15'57"E
L96	19.67	N47°32'45"E
L97	4.23	S5°50'18"E
L98	55.09	S50°50'18"E
L99	116.45	S60°49'36"E
L100	4.24	N74°10'24"E
L101	52.74	S60°49'36"E
L102	4.24	S15°49'36"E
L103	16.43	S60°49'36"E
L104	18.42	S71°15'57"E
L105	4.24	N63°44'03"E
L106	60.61	S71°15'57"E
L107	62.78	S30°02'43"W
L108	73.86	S54°26'38"W
L109	68.39	N42°26'04"W
L110	4.24	N2°33'56"E
L111	362.15	N42°26'04"W
L112	3.81	N87°26'04"W
L113	31.57	S18°44'03"W
L114	56.65	S47°32'45"W
L115	28.10	S52°29'33"W

CURVE TABLES

Curve #	Length	Radius	Delta	Chord	Chord Bearing
C1	50.14	389.50	7°22'33"	50.11	S15° 00' 24"W
C2	420.86	389.50	61°54'34"	400.68	S49° 38' 57"W
C3	50.10	275.00	10°26'21"	50.04	N66° 02' 46"W
C4	47.94	275.00	9°59'17"	47.88	N55° 49' 57"W
C5	88.32	62.00	81°36'57"	81.04	S88° 21' 13"W
C6	18.85	12.00	90°01'11"	16.97	N87° 26' 40"W
C7	252.76	53.00	273°14'42"	72.80	S0° 56' 35"W
C8	89.95	62.00	83°07'18"	82.26	S83° 59' 43"E
C9	53.23	125.00	24°23'55"	52.83	N42° 14' 40"E
C10	19.72	125.00	9°02'19"	19.70	N25° 31' 33"E
C11	18.37	12.00	87°43'40"	16.63	N64° 52' 13"E
C12	21.57	12.00	102°59'24"	18.78	N3° 56' 58"W
C13	16.63	12.00	79°25'26"	15.33	N87° 15' 28"E
C14	57.18	328.00	9°59'17"	57.11	S55° 49' 57"E
C15	59.76	328.00	10°26'21"	59.68	S66° 02' 46"E
C16	19.89	12.00	94°56'46"	17.69	S23° 47' 34"E
C17	8.33	75.00	6°21'53"	8.33	S26° 51' 46"W
C18	31.94	75.00	24°23'55"	31.70	S42° 14' 40"W
C19	17.41	12.00	83°07'18"	15.92	N83° 59' 43"W
C20	54.66	300.00	10°26'21"	54.58	N66° 02' 46"W
C21	52.30	300.00	9°59'17"	52.23	N55° 49' 57"W
C22	52.71	37.00	81°36'57"	48.36	S88° 21' 13"W
C23	19.74	100.00	11°18'40"	19.71	S24° 23' 23"W
C24	42.58	100.00	24°23'55"	42.26	S42° 14' 40"W
C25	53.68	37.00	83°07'18"	49.09	N83° 59' 43"W

MITCHELL SURVEYING & CONSULTING, LLC
 Surveying • Construction Layout • Consulting
 3201 South Cherokee Lane • Suite 310
 Woodstock, GA 30188
 Tel. 770-924-2955 Fax: 770-485-9073
 Email: cmitchell@msc-survey.com

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PREPARED FOR
TRATON HOMES
 720 KENNESAW AVE
 MARIETTA, GA 30060

FINAL PLAT
WILDWOOD PLACE
SUBDIVISION
 (FKA WESTPARK S/D)
 SITUATED IN LAND LOTS 1024, 1049 & 1050
 19th DISTRICT, 2nd SECTION
 CITY OF POWDER SPRINGS
 COBB COUNTY, GEORGIA



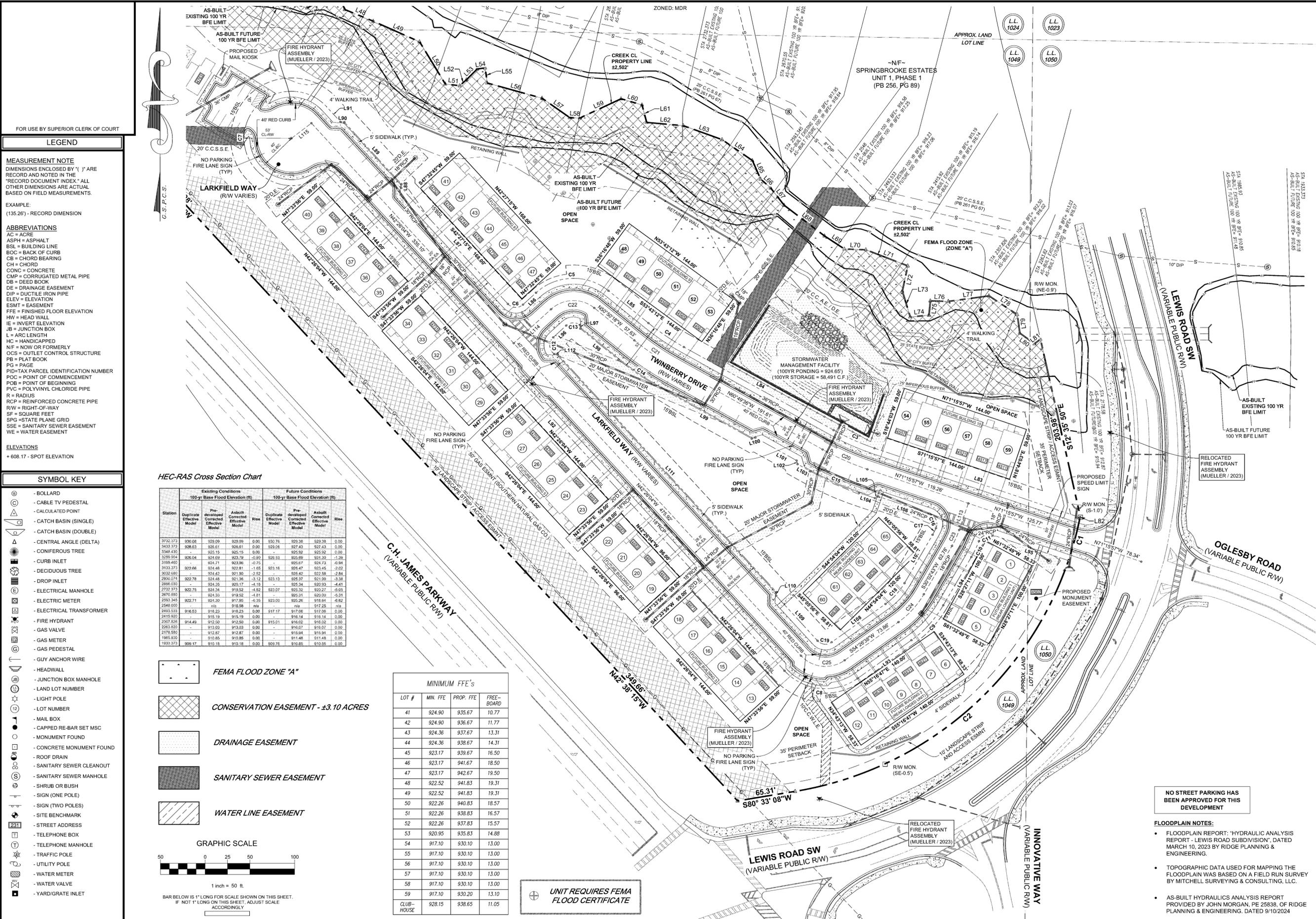
05 / 24 / 2024

SHEET RECORD

DATE	DESCRIPTION
05/24/2024	ISSUED
06/20/2024	2nd Sub - COMMENTS
08/09/2024	3rd Sub - COMMENTS
08/26/2024	4th Sub - COMMENTS
09/11/2024	5th Sub - COMMENTS

DRAWING INFORMATION
 CAD FILE: 22083.10-FINAL-1.DWG
 DRAWN BY: RPH CHECKED BY: CRM

SHEET NAME:
PLAN A



LEGEND

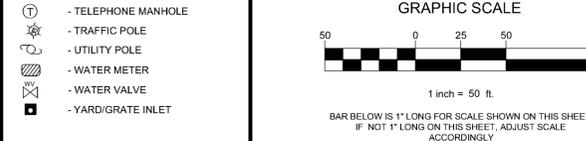
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ABBREVIATIONS
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 ESMT = EASEMENT
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ELEVATIONS
 +608.17 - SPOT ELEVATION

SYMBOL KEY

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- ⊙ - FIRE HYDRANT
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HEC-RAS Cross Section Chart

Station	Existing Conditions 100-yr Base Flood Elevation (ft)				Future Conditions 100-yr Base Flood Elevation (ft)			
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3732.373	930.08	929.09	929.09	0.00	930.76	929.38	929.38	0.00
3433.373	926.63	925.61	925.61	0.00	929.08	927.43	927.43	0.00
3348.430	925.15	925.15	925.15	0.00	925.52	925.52	0.00	
3289.904	926.04	924.69	923.79	-0.90	926.69	923.30	-1.36	
3169.450	924.71	923.90	-0.75	920.47	924.74	-0.94		
3133.373	922.66	924.48	922.81	-1.85	923.16	925.47	2.31	
3022.090	924.42	921.90	-2.52	925.47	922.58	-2.84		
2930.574	922.78	924.48	921.36	-1.12	923.13	923.99	0.86	
2886.030	924.35	920.17	-4.18	925.34	920.93	-4.41		
2732.373	922.75	924.34	919.52	-4.52	923.07	925.32	2.27	
2670.650	924.93	919.52	-4.81	925.31	920.00	-5.31		
2593.345	922.71	924.30	917.95	-5.35	923.00	918.64	-4.62	
2548.030	919.00	919.00	919.00	0.00	919.00	919.00	0.00	
2493.630	916.53	916.23	916.23	0.00	917.17	917.66	0.00	
2415.920	915.19	915.19	915.19	0.00	916.14	916.14	0.00	
2307.826	914.49	912.50	912.50	0.00	915.01	916.02	0.00	
2262.620	913.03	913.03	913.03	0.00	916.07	916.07	0.00	
2178.580	912.87	912.87	912.87	0.00	915.94	915.94	0.00	
1965.920	910.85	910.85	910.85	0.00	911.48	911.48	0.00	
1920.373	909.17	910.18	910.18	0.00	909.76	910.36	0.00	

- FEMA FLOOD ZONE "A"**
- CONSERVATION EASEMENT - ±3.10 ACRES**
- DRAINAGE EASEMENT**
- SANITARY SEWER EASEMENT**
- WATER LINE EASEMENT**

MINIMUM FFE'S

LOT #	MIN. FFE	PROP. FFE	FREE-BOARD
41	924.90	935.67	10.77
42	924.90	936.67	11.77
43	924.36	937.67	13.31
44	924.36	938.67	14.31
45	923.17	939.67	16.50
46	923.17	941.67	18.50
47	923.17	942.67	19.50
48	922.52	941.83	19.31
49	922.52	941.83	19.31
50	922.26	940.83	18.57
51	922.26	938.83	16.57
52	922.26	937.83	15.57
53	920.95	935.83	14.88
54	917.10	930.10	13.00
55	917.10	930.10	13.00
56	917.10	930.10	13.00
57	917.10	930.10	13.00
58	917.10	930.10	13.00
59	917.10	930.20	13.10
CLUB-HOUSE	928.15	938.65	11.05

UNIT REQUIRES FEMA FLOOD CERTIFICATE

NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT

- FLOODPLAIN NOTES:**
- FLOODPLAIN REPORT: "HYDRAULIC ANALYSIS REPORT - LEWIS ROAD SUBDIVISION", DATED MARCH 10, 2023 BY RIDGE PLANNING & ENGINEERING.
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 - AS-BUILT HYDRAULICS ANALYSIS REPORT PROVIDED BY JOHN MORGAN, PE 25838, OF RIDGE PLANNING & ENGINEERING, DATED 9/10/2024

MITCHELL SURVEYING & CONSULTING, LLC
 Surveying • Construction Layout • Consulting
 3201 South Cherokee Lane • Suite 310
 Woodstock, GA 30188
 Tel. 770-924-2955 Fax: 770-485-9073
 Email: cmitchell@mssc-survey.com

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PREPARED FOR
TRATON HOMES
 720 KENNESAW AVE
 MARIETTA, GA 30060

FINAL PLAT
WILDWOOD PLACE SUBDIVISION
 (FKA WESTPARK S/D)
 SITUATED IN LAND LOTS 1024, 1049 & 1050
 19th DISTRICT, 2nd SECTION
 CITY OF POWDER SPRINGS
 COBB COUNTY, GEORGIA

REGISTERED LAND SURVEYOR
 CHARLES R. MITCHELL
 No. 3240
 05 / 24 / 2024

SHEET RECORD

DATE	DESCRIPTION
05/24/2024	ISSUED
06/20/2024	2nd Sub - COMMENTS
08/09/2024	3rd Sub - COMMENTS
08/26/2024	4th Sub - COMMENTS
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SHEET NAME:
PLAN B

FOR USE BY SUPERIOR CLERK OF COURT

LEGEND

MEASUREMENT NOTE
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EXAMPLE:
 (135.26) - RECORD DIMENSION

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3348.430	-	825.15	825.15	0.00	-	825.92	825.92	0.00
3259.394	826.04	824.89	823.78	-0.90	829.53	825.69	824.30	-1.39
3178.460	824.71	822.96	-0.75	-	829.67	828.73	-0.94	
3133.373	822.66	824.46	822.81	-1.85	823.16	825.47	822.45	-2.02
3052.889	824.42	821.90	-2.52	-	826.42	822.58	-2.84	
2970.274	822.78	824.48	821.98	-3.12	823.13	825.92	821.98	-3.38
2886.030	824.35	820.17	-4.18	-	825.34	820.93	-4.41	
2792.373	822.78	824.34	819.52	-4.82	823.07	825.27	-5.55	
2701.590	824.33	819.52	-4.81	-	823.31	820.93	-5.31	
2603.345	822.71	824.30	817.85	-5.35	823.00	819.84	-6.62	
2548.000	824.30	817.85	-6.45	-	823.00	819.84	-6.62	
2450.520	816.53	818.23	816.23	0.00	817.17	817.68	817.68	0.00
2415.920	815.19	815.19	0.00	-	816.14	816.14	0.00	
2307.828	814.49	812.50	812.50	0.00	815.01	816.02	816.02	0.00
2253.820	813.03	813.03	0.00	-	815.07	815.07	0.00	
2175.580	812.87	812.87	0.00	-	815.94	815.94	0.00	
1685.920	810.85	810.85	0.00	-	811.48	811.48	0.00	
1323.373	806.17	810.18	810.18	0.00	809.78	810.85	810.85	0.00

FEMA FLOOD ZONE "A"

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DRAINAGE EASEMENT

SANITARY SEWER EASEMENT

WATER LINE EASEMENT

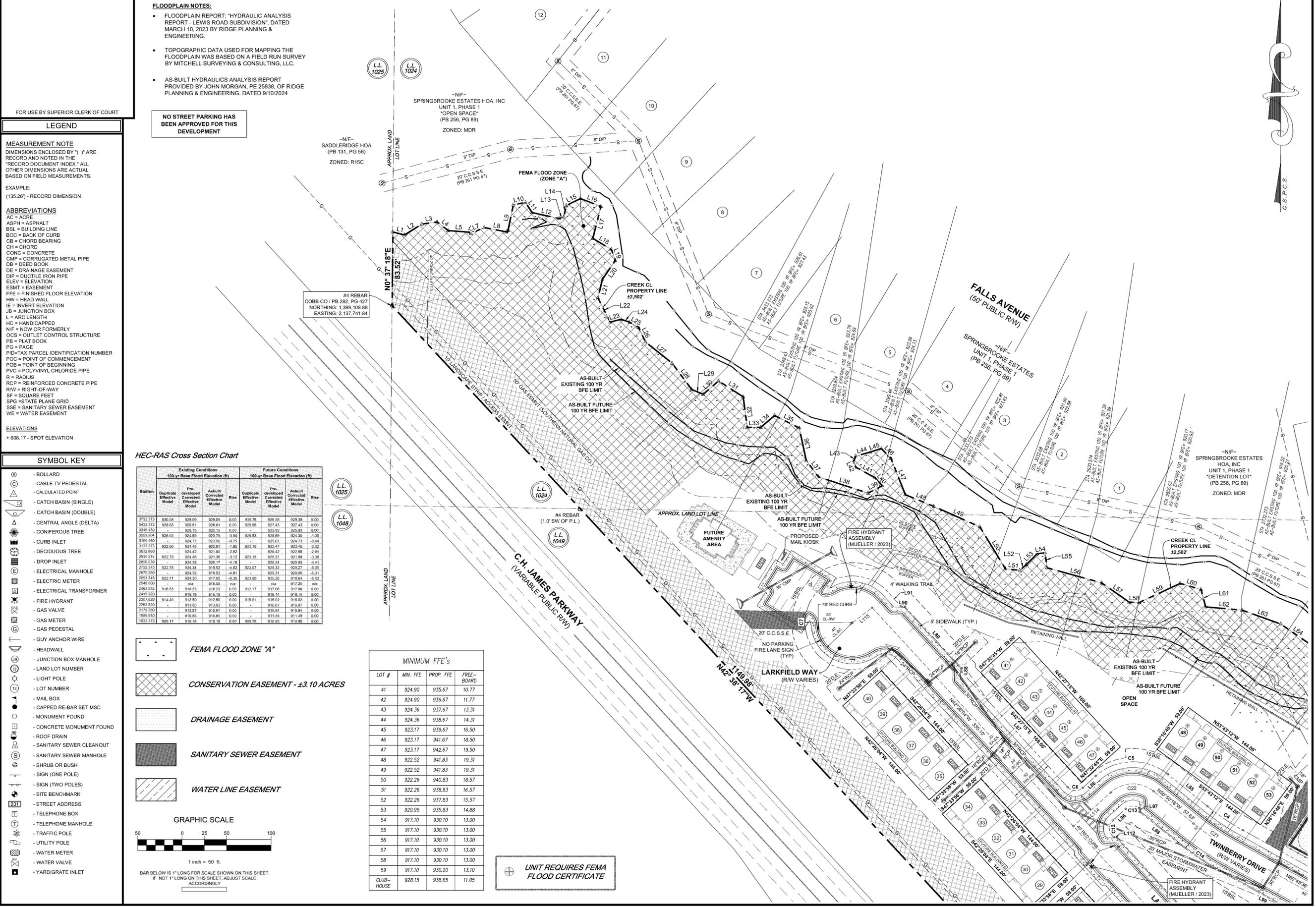
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CLUB-HOUSE	928.15	938.65	11.05

GRAPHIC SCALE
 50 0 25 50 100
 1 inch = 50 ft.

BAR BELOW IS 1" LONG FOR SCALE SHOWN ON THIS SHEET. IF NOT 1" LONG ON THIS SHEET, ADJUST SCALE ACCORDINGLY.

UNIT REQUIRES FEMA FLOOD CERTIFICATE



NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT

- FLOODPLAIN NOTES:**
- FLOODPLAIN REPORT: "HYDRAULIC ANALYSIS REPORT - LEWIS ROAD SUBDIVISION", DATED MARCH 10, 2023 BY RIDGE PLANNING & ENGINEERING.
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Subject Property: Oglesby Rd and Lewis Rd (Wildwood Place)

Parcel Number and Description: Land Lots 1024, 1049 and 1050, 19th District, Approximately 12.7 acres

Zoning: PUD-R

Applicant requests a change in zoning conditions.

Background:

These parcels were rezoned from CRC to PUD-R September 19, 2022. (PZ22-003)

This neighborhood is called Wildwood Place and they have been building for about 2 years now. These are 3-story townhomes with 2 car garages that are located in the back of the townhome.

As a note: We have granted 2 Variances already. The first being the tree canopy. They were able to waive the 75% of existing tree canopy. The second being a variance to allow minimum horizontal road centerline radius of 37 feet.

What Applicant is Proposing: To seek amendments to certain stipulations approved in the original application for rezoning being PZ22-003.

Revision to approved stipulation to allow for rear entry homes to have a one-car garage. (#7 on stipulations from rezoning)

Per our UDC 2-15 (f.)

https://library.municode.com/ga/powder_springs/codes/unified_development_code?nodeId=ART2ZODIOFZOMA_DIVIIREZODI_S2-15PPLUNDEES

PUD must have a 2-car garage. ALSO, per final plat, “No street parking has been approved for this development.”

Wildwood Place Subdivision





New Proposal (Top) Original Proposal (Bottom)

Written Analysis (Applicant’s Responses)

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.

The proposed changes to underlying zoning conditions are consistent with the Future Land Use Plan and Comprehensive Plan of the City as same do not seek to change the approved use, spirit, and intent of the development.

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.

The proposed changes to the underlying zoning conditions are permitted within the approved zoning district and are suitable in view of zoning and development of adjacent and nearby property as the proposed changes simply request architectural revisions that nevertheless remain consistent with the surrounding area.

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.

The existing use and usability of adjacent and nearby property will not be adversely affected by the minor changes in underlying conditions requested by Applicant.

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

Current underlying zoning conditions related to significant architectural requirements have resulted in a development that is substantially underperforming. The proposed changes are necessary to meet market demands and expectations.

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.

Public facilities are adequate to serve the proposed community as the requested changes in underlying conditions will have no effect whatsoever on public facilities and the provision of same.

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 changes in underlying zoning conditions are supported by changing conditions in the marketplace which were not anticipated at the time of original zoning approval, resulting in a significantly underperforming development.

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. The proposed changes in underlying zoning conditions reflect a reasonable balance of the public welfare and the ultimate success of the development inasmuch as the requested architectural changes are relatively minor aesthetically, but if approved, would have a significant impact on the marketability of the homes.



City of Powder Springs

Staff Report

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

3/12/2026

Subject Property: 1048 Richard D. Sailors Pkwy

Parcel Number and Description: 19082900180 LL 800 and 829, 19th District

Zoning: CRC. Also, under the E-Commerce and Logistics Overlay

Applicant requests a change in zoning conditions.

Background/History

This parcel was zoned CRC with the adjacent parcel that is a self-storage facility. As a note this subject parcel has deed restrictions that come from lot 8 (Home Depot). These restrictions “run with the land”

- May 15, 2006: Rezoned and approved from LRO and CRC to NRC for a retail development with conditions.
- July 21, 2008: Rezoned from NCR to CRC with conditions to allow a movie theater serving alcoholic beverages, a wine and spirit store, karate studio and a learning center.
- Hotel approved via rezoning. Self-service storage facility climate controlled is an approved use via a Special Use approval granted on August 20, 2018. See attached conditions.

1. July 16, 2018 Mayor and Council Minutes: PZ 18-019: Rezoning from CRC conditional to CRC Conditional

PZ 18-020: Special use to allow Self-Storage Facility, Climate Control

2. August 20, 2018 Mayor and Council Minutes PZ 18-019: Rezoning from CRC conditional to CRC Conditional

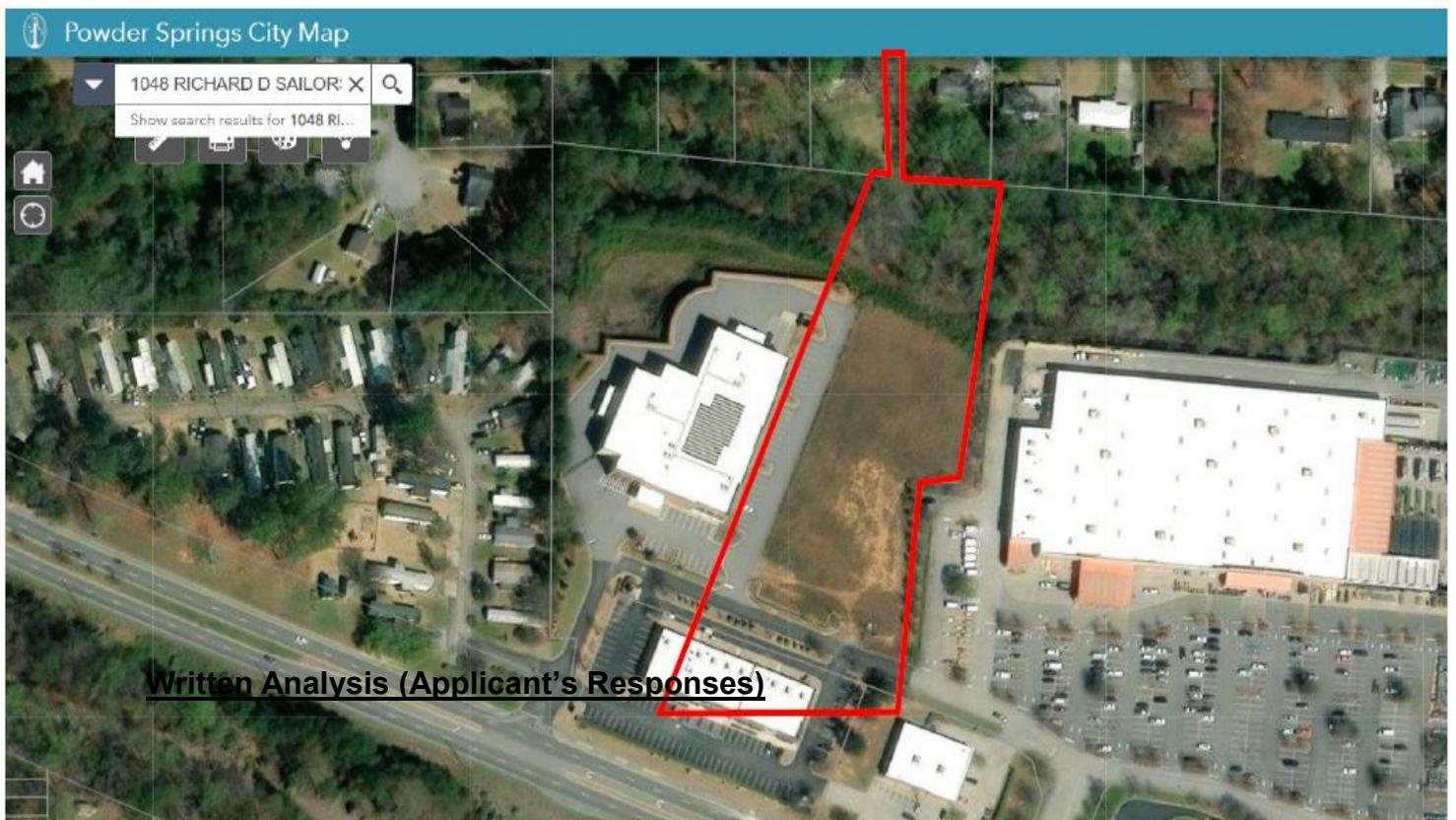
PZ 18-020: Special use (on adjacent lot) to allow Self-Storage Facility, Climate Control

What applicant is Proposing: The construction of four (4) detached buildings each consisting of “suites” to be used as a flexible business park for office, retail, and related uses as permitted in the CRC zoning category.

Powder Springs City Map (Zoning Overlay)



Overhead View of the Surrounding Properties



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. The proposed stipulation change seeks a use of the Property as a flexible business park in lieu of a hotel; and, therefore, the proposal is consistent with the CRC zoning district and Comprehensive Plan.

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. The proposed use of a flexible business park is actually far more suitable in light of the zoning and development of adjacent, commercial uses.

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. The proposed use will not adversely affect adjacent or nearby uses which are largely commercial uses, with some residential. The proposed use is far more consistent and compatible to these adjacent uses than the currently, permitted use of the Property.

d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned. The current, permitted use of the Property as a hotel is not economically feasible and unviable from a marketability perspective.

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. Public facilities are more than adequate to serve the proposed use which will be far less impactful than the current, permitted use.

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 use is highly supported by new and changing conditions in the area which are vastly more supportive of business uses designed to meet the needs of a growing community, such as that proposed by Applicant.

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. The proposed use reflects a very reasonable balance between the public welfare and

the right to unrestricted use of the Property, especially given the proposed use is far less impactful to public facilities and adjacent properties than the current, permitted use.



**city of
powder springs**

Rezoning Request

Application Checklist

Applicant Information

Name **Shamrock Building Systems, Inc.**

Phone **(770) 745-4822; (770) 429-1499**

Mailing Address **1298 Concord Road, S.E.
Smyrna, GA 30080**

Email **jburke@shamrockbuildingsystems.com; jkm@mijs.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: City and County 2025 Tax Receipts; Constitutional Challenge

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 Shamrock Building Systems, Inc.	Phone (770) 745-4822; (770) 429-1499
Mailing Address 1298 Concord Road, S.E. Smyrna, GA 30080	Email jburke@shamrockbuildingsystems.com; jkm@mijs.com

Rezoning Request Property Information

Address 1048 Richard D. Sailors Parkway	Parcel ID / Lot# 19082900180	Acreage 3.49+/-
Present Zoning CRC, with stipulations	Proposed Zoning CRC, with stipulations	
Source of Water Supply Cobb County Water System	Source of Sewage Disposal Cobb County Water System	
Proposed Use Peak Hour Trips Generated	Source	

Additional Information, If Applicable

Elementary School and School's Capacity Compton Elementary - 79% capacity	Middle School and School's Capacity Tapp Middle - 78% capacity
High School and School's Capacity McEachern High - 94% capacity	

Notary Attestation

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

Moore Ingram Johnson & Steele, LLP		
BY: <u>J. Kevin Moore</u>	<u>J. Kevin Moore</u>	<u>February 24, 2026</u>
<small>Signature of Applicant</small>	<small>Printed Name</small>	<small>Date</small>
Attorneys for Applicant and Property Owner		
<small>Subscribed and sworn before me this <u>24</u> day of <u>February</u>, 2026</small>		
<u>Carolyn E. Cook</u>	<u>Carolyn E. Cook</u>	<u>January 10, 2027</u>
<small>Signature of Notary Public</small>	<small>Name of Notary Public</small>	<small>My Commission Expires</small>



See Exhibit "A" for Applicant's and Property Owner's Representative Information 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 Shamrock Building Systems, Inc.	Phone (770) 745-4822; (770) 429-1499
Mailing Address 1298 Concord Road, S.E. Smyrna, GA 30080	Email jburke@shamrockbuildingsystems.com; jkm@mjs.com

Notice of Intent

Part I. Please indicate the purpose of this application :
 The purpose of this Application for Rezoning is to allow for a change in the proposed use of the Property, including revisions to the previously approved stipulations.

Part II. Please list all requested variances:
 None.

Part III. Existing use of subject property:
 The Subject Property is undeveloped.

Part IV. Proposed use of subject property:
 Applicant proposes the construction of four (4) detached buildings, each consisting of "suites" to be used as a "flexible" business park for office, retail, and related uses as permitted in the CRC zoning category.

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

Applicant Signature

BY: 	Shamrock Building Systems, Inc./	February 24, 2026
Signature of Applicant	Printed Name J. Kevin Moore	Date

Attorneys for Applicant and Property Owner



city of powder springs

Rezoning Request

Applicant's Written Analysis

Applicant Information

Name	Shamrock Building Systems, Inc.	Phone	(770) 745-4822; (770) 429-1499
Mailing Address	1298 Concord Road, S.E. Smyrna, GA 30080	Email	jburke@shamrockbuildingsystems.com; jkm@mij.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.
The proposed stipulation change seeks a use of the Property as a flexible business park in lieu of a hotel; and, therefore, the proposal is consistent with the CRC zoning district and Comprehensive Plan.
- 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.
The proposed use of a flexible business park is actually far more suitable in light of the zoning and development of adjacent, commercial uses.
- 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.
The proposed use will not adversely affect adjacent or nearby uses which are largely commercial uses, with some residential. The proposed use is far more consistent and compatible to these adjacent uses than the currently, permitted use of the Property.
- d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned;
The current, permitted use of the Property as a hotel is not economically feasible and unviable from a marketability perspective.
- 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.
Public facilities are more than adequate to serve the proposed use which will be far less impactful than the current, permitted use.
- 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 use is highly supported by new and changing conditions in the area which are vastly more supportive of business uses designed to meet the needs of a growing community, such as that proposed by Applicant.
- 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.
The proposed use reflects a very reasonable balance between the public welfare and the right to unrestricted use of the Property, especially given the proposed use is far less impactful to public facilities and adjacent properties than the current, permitted use.

Applicant Signature

BY:	Shamrock Building Systems, Inc./	February 24, 2026
Signature of Applicant	Printed Name J. Kevin Moore	Date

5 Attorneys for Applicant and Property Owner

Form Version: 06152020



Rezoning Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name Shamrock Building Systems, Inc.	Applicant's Address 1298 Concord Road, S.E., Smyrna, GA 30080
Applicant's Attorney Moore Ingram Johnson & Steele, LLP - J. Kevin Moore	Attorney's Address 326 Roswell Street, Suite 100, Marietta, GA 30060

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

X - Limited Liability Company

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:

Powder Springs Storage, LLC	Atlantic Development Partners, LLC
Shamrock Building Systems, Inc.	
J. Seamus Burke; Joseph S. Burke	

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
None		

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
None		



**city of
powder springs**
Rezoning Request
Owner's Authorization Form

Owner's Authorization

Applicant Name Shamrock Building Systems, Inc. Applicant's Address 1298 Concord Road, S.E., Smyrna, GA 30080

Property Address 1048 Richard D. Sailors Parkway Property PIN 19082900180

This is to certify that I am or We are or I am the Authorized Representative of a ~~corporation~~ limited liability company 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)

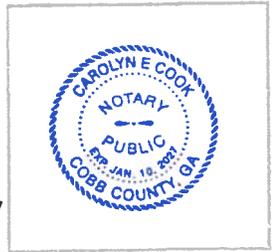
Powder Springs Storage, LLC
BY: [Signature] S. Joseph Burke February 24, 2026
Signature of Owner Printed Name Managing Member Date

State of GA, County of Cobb.

This instrument was acknowledged before me this 24th day of February.

20 26 by S. Joseph Burke Identification Presented: Personal Knowledge

[Signature] Carolyn E. Cook January 10, 2027
Signature of Notary Public Name of Notary Public My Commission Expires



Signature of Owner _____ Printed Name _____ Date _____

State of _____, County of _____.

This instrument was acknowledged before me this _____ day of _____.

20 ____ by _____ Identification Presented: _____

Signature of Notary Public _____ Name of Notary Public _____ My Commission Expires _____



EXHIBIT “A” – ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Planning Commission Hearing: **March 23, 2026**
Mayor and City Council Hearing: **April 6, 2026**

Applicant: **Shamrock Building Systems, Inc.**
Titleholder: **Powder Springs Storage, LLC**
Tax Parcel Number: **19082900180**

Applicant’s and Property Owner’s Representative:

J. Kevin Moore, Esq.
Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook, Suite 100
326 Roswell Street
Marietta, Georgia 30060
(770) 429-1499 (Office)
(770) 429-8631 (Telefax)
E-mail: jkm@mijs.com





Conceptual rendering for visual reference only. Final design per architectural plans.













MOONLIGHT
WHOLESALE

101

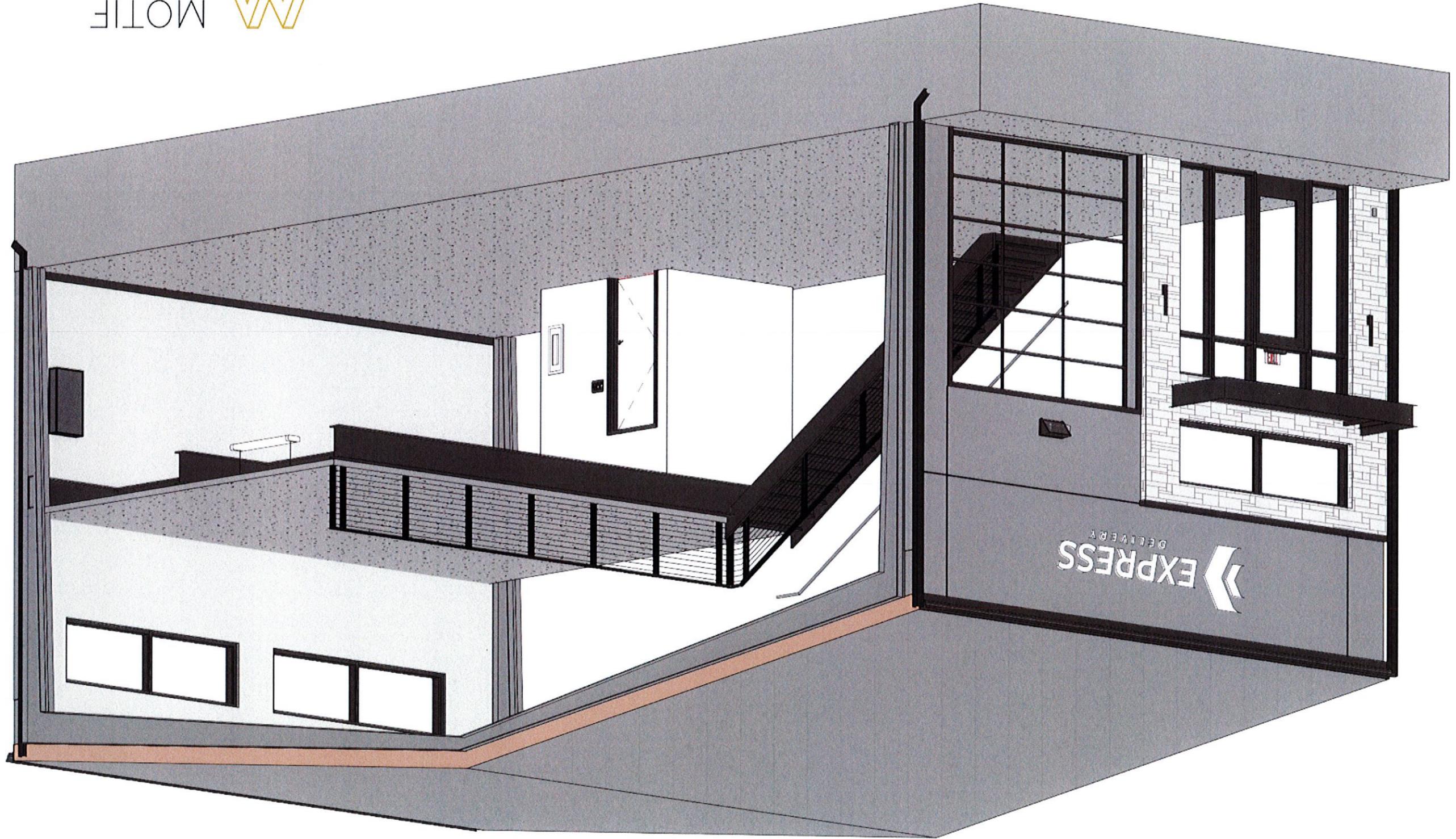
ANCHOR
MEDIA

ATX
LIGHTING

STUDIO LAKE

104







Building Specifications

Restrooms	ADA accessible in each space
Features	High ceilings (optional loft) Base electrical outlets LED lighting Fully Heated and Cooled
Loading	Roll-up door for easy accessibility

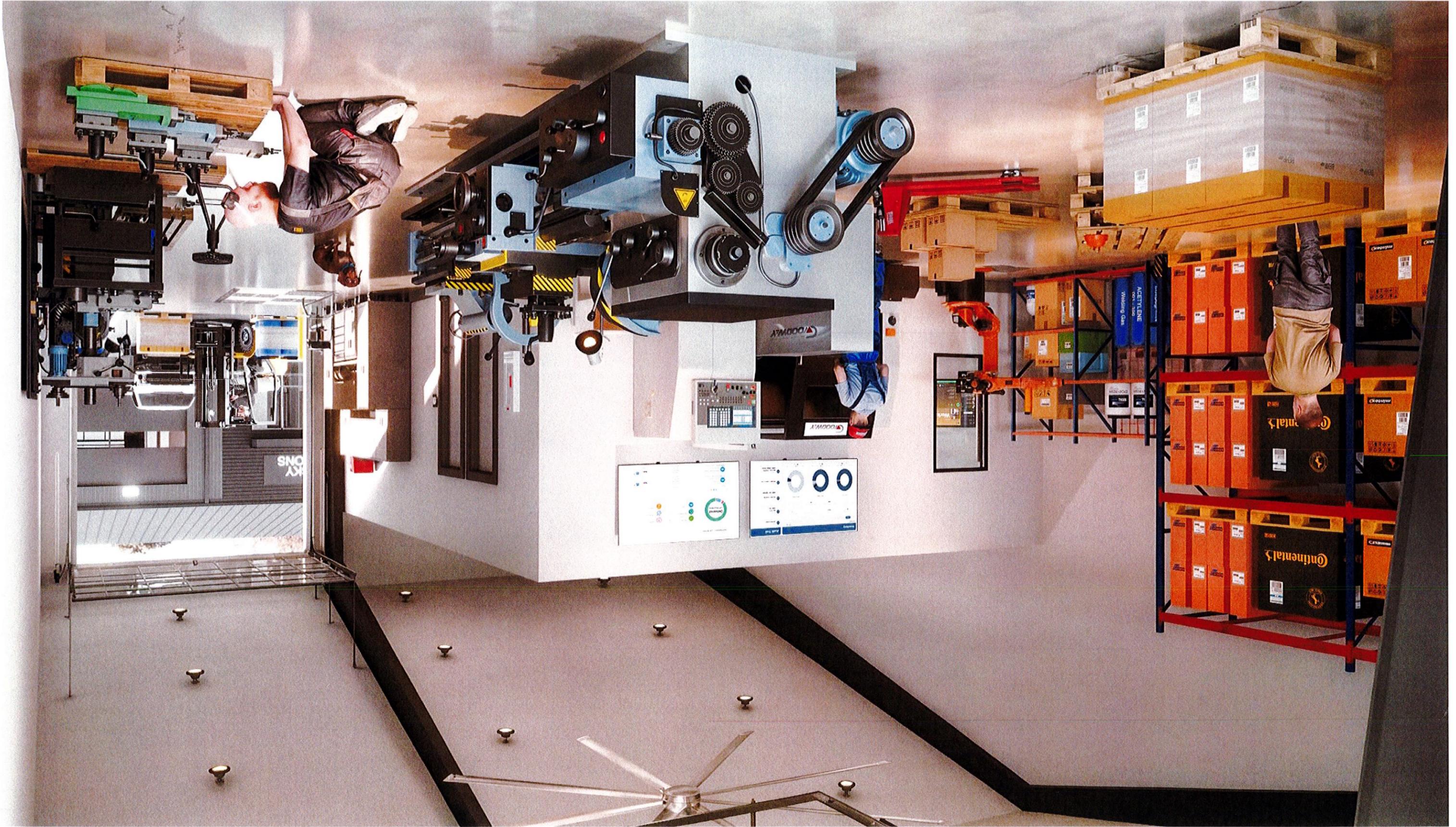
Additional Features

- All units include an ADA accessible restroom
- All units have HVAC (fully heated and cooled)
- Flexible floor plans with units typically 1,000 to 1,550 SF
- MicroFlex properties can be used for everything and are perfect for high end vintage car storage.

YOUR SPACE. YOUR WAY.











Colliers

TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: ROSE MILLER

Printed at 03/04/26 15:25 by rmill-tj

Acct #: 110102

Ad #: 541329

Status: New WHOLD

CITY OF POWDER SPRINGS
KELLY AXT
PO BOX 46
POWDER SPRINGS GA 30073

Start: 03/06/2026 Stop: 03/06/2026
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.79 Words: 200
Total LEG 2.79
Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00
Ad Descrpt: PH-1373 1048 RICHARD D SA
Descr Cont: MDJ-1373 GPN-16 NOTICE OF
Given by: KERISHA BLACK
P.O. #: 1048 RICHARD D SAIL
Created: rmill 03/04/26 15:23
Last Changed: rmill 03/04/26 15:25

Contact:

Phone: (770)943-1666

Fax#:

Email: kaxt@powderspringsga.gov; PC

Agency:

PUB ZONE EDT TP RUN DATES
MDJ A 95 S 03/06

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

.

MDJ-1373
GPN-16
NOTICE OF PUBLIC HEARING
City of Powder Springs
REZONING - CHANGE IN
ZONING CONDITIONS

Notice is hereby given of an application to consider a change in rezoning conditions. The property is located at 1048 Richard D. Sailors Pkwy, Within land lot 829, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19082900180. The application will be considered by the Planning and Zoning Commission at its work session on Thursday, March 12th, 2026, at 7:00 pm, at its public hearing on Monday, March 23rd, 2026, at 7:00 pm, and by the Mayor and Council at its work session on Wednesday, April 1st, 2026, at 5:00 pm and its public hearing on Monday, April 6th, 2026, at 7:00 pm. All meetings will be held at City Hall located at 4483 Pineview Dr, Powder Springs GA 30127. If applicable, Zoom links will be available at www.powder-springsga.gov.
Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing and to sign in 20 minutes prior to the scheduled public hearing at city hall.

3:6-2026



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 1048 Richard D. Sailors Parkway

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 March 5, 2026. 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 March 5, 2026. 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 Marietta (City), GA (State).

BY: J. Kevin Moore J. Kevin Moore March 6, 2026
Signature of Applicant Printed Name Date
Attorneys for Applicant and Property Owner
Subscribed and sworn before me this 6th day of March, 2026.

Carolyn E. Cook Carolyn E. Cook January 10, 2027
Signature of Notary Public Name of Notary Public My Commission Expires





Certificate of Mailing — Firm

Name and Address of Sender
**MOORE INGRAM JOHNSON &
STEELE, LLP
EMERSON OVERLOOK – SUITE 100
326 ROSWELL STREET
MARIETTA, GA 30060**

**RE: SHAMROCK BUILDING
SYSTEMS, INC.
REZONING APPLICATION
(CHANGE OF CONDITIONS)
1048 RICHARD D. SAILORS PKWY.**

USPS® Tracking Number
Firm-specific Identifier

TOTAL NO.
of Pieces Listed by Sender

3

TOTAL NO.
of Pieces Received at Post Office™

4

Postmaster, per (name of receiving employee)

Jewi Jenkins

Address
(Name, Street, City, State, and ZIP Code™)

**ESS STORAGE ACQUISITION
THIRTY TWO, LLC
6890 S. 2300 E., PMB 71870
SALT LAKE CITY, UT 84171**

**HD DEVELOPMENT OF MARYLAND, INC.
PROPERTY TAX DEPT. RE 6940
POST OFFICE BOX 105842
ATLANTA, GA 30348**

**POWDER SPRINGS STORAGE, LLC
5825 GLORE PLACE
AUSTELL, GA 30106**

1.

2.

3.

4.

5.

6.

Affix Stickers

NEOPOST
03/05/2026

US POSTAGE \$003.12



ZIP 30060
041M11289387



Postage

Fee

Special Handling

Parcel Airlift



Certificate of Mailing — Firm

Name and Address of Sender
**MOORE INGRAM JOHNSON &
STEELE, LLP
EMERSON OVERLOOK – SUITE 100
326 ROSWELL STREET
MARIETTA, GA 30060**

**RE: SHAMROCK BUILDING
SYSTEMS, INC.
REZONING APPLICATION
(CHANGE OF CONDITIONS)
1048 RICHARD D. SAILORS PKWY.**

TOTAL NO.
of Pieces Listed by Sender

1

TOTAL NO.
of Pieces Received at Post Office™

Postmaster, per (name of receiving employee)

Affix Stamp Here

Postmark with Date of Receipt.



USPS® Tracking Number
Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

1. **POWDER SPRINGS STORAGE, LLC
1298 CONCORD ROAD, S.E.
SMYRNA, GA 30080**

Parcel Airlift

Special Handling

Fee

Postage

ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Planning Commission Hearing: **March 23, 2026**
Mayor and City Council Hearing: **April 6, 2026**

**BEFORE THE PLANNING AND ZONING COMMISSION
AND THE MAYOR AND CITY COUNCIL
FOR THE CITY OF POWDER SPRINGS, GEORGIA**

**CONSTITUTIONAL CHALLENGE
ATTACHMENT TO APPLICATION FOR REZONING**

COME NOW, Applicant, SHAMROCK BUILDING SYSTEMS, INC. (hereinafter referred to as “Applicant”), and Property Owner, POWDER SPRINGS STORAGE, LLC (hereinafter referred to as “Owner” or “Property Owner”), and assert the following:

1.

By Application for Rezoning dated and filed February 24, 2026, Applicant and Property Owner applied for rezoning of certain real property located within incorporated City of Powder Springs, Georgia, a more particular description and delineation of the subject property being set forth in said Application (hereinafter referred to as the “Property” or “Subject Property”).

2.

The Application for Rezoning of the Property seeks rezoning from the existing zoning category of Community Retail Commercial (“CRC”), with stipulations, to the proposed zoning classification of Community Retail Commercial (“CRC”), with stipulations, as established by the governing authority of the City of Powder Springs, Georgia, under and pursuant to the Unified Development Code of Powder Springs Georgia, as amended, being hereinafter referred to as the “Unified Development Code of the City of Powder Springs.”

3.

With respect to the existing CRC, with stipulations, zoning classification, Applicant and Property Owner do contend the Unified Development Code of the City of Powder Springs, Georgia is unconstitutional as applied to the Property in that said Ordinance does not permit the Applicant and Property Owner to utilize the Property to the use set forth within the Application for Rezoning without the necessity of rezoning. However, Applicant and Property Owner do not contend the current zoning category of CRC, with stipulations, is unconstitutional, *per se*, only as applied. Thus, the Ordinance deprives Applicant and Property Owner of their Property under and pursuant to Art. I, § I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The existing zoning category of CRC, with stipulations, together with any intervening zoning categories between the existing CRC, with stipulations, category and the requested CRC, with stipulations, category violate the Applicant's and Property Owner's rights to unfettered use of their Property, as stated above, in that said zoning classifications do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant and Property Owner.

4.

To the extent the Unified Development Code of the City of Powder Springs, Georgia, allows or permits the Mayor and City Council to rezone the Subject Property to any category other than as requested, said Ordinance is further unconstitutional in that same violates Applicant's and Property Owner's constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action by the Mayor and City Council, or as allowed by the Unified Development Code of the City of Powder Springs, is an unconstitutional use of the zoning power and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate compensation in violation of the Constitutions of the State of Georgia and the United States of America.

5.

The Ordinance is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Zoning Application also violate Art. I, § I, ¶¶ I, II, and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the absence of rebuttal, contain the inability to confront witnesses, contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issue at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

[Signature contained on page 4]

MOORE INGRAM
JOHNSON & STEELE
A Limited Liability Partnership
Emerson Overlook
326 Roswell Street
Suite 100
Marietta, GA 30060
(770) 429-1499
FAX (770) 429-8631

Respectfully submitted, this 24th day of February, 2026.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

J. KEVINMOORE
Georgia Bar No. 519728
Attorneys for Applicant and Property Owner

Deed Book 15586 Pg 5417
Filed and Recorded Nov-15-2018 11:10am
2018-0144241
Real Estate Transfer Tax \$0.00
0332018028639



Rebecca Keaton
Clerk of Superior Court Cobb Cty. Ga.

RETURN RECORDED DOCUMENT TO:

HARTLEY, ROWE & FOWLER, P.C.
P. O. BOX 489
DOUGLASVILLE, GA 30133
FILE NO. 18-0758W

① Hartley, Rowe + Fowler, P.C.
6622 E. Broad Street
P.O. Box 489
Douglasville, GA 30133

STATE OF GEORGIA
COUNTY OF DOUGLAS

LIMITED WARRANTY DEED

THIS INDENTURE, made the 7th day of November, in the year two thousand and eighteen, between

ATLANTIC DEVELOPMENT PARTNERS, LLC, a Georgia limited liability company

as party or parties of the first part ("Grantor"), and

POWDER SPRINGS STORAGE, LLC, a Georgia limited liability company

as party or parties of the second part, ("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 other good and valuable considerations and the sum of Ten and No/100 (\$10.00) Dollars 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 800 and 829 of the 19th District of Cobb County, Georgia, and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

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**, subject only to those matters set forth on Exhibit "B", incorporated by reference.

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 claiming by, through or under 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:

Keren Benjamin
Witness

[Signature]

Notary Public
My Commission Expires:
(SEAL)



ATLANTIC DEVELOPMENT PARTNERS,
LLC, a Georgia limited liability company

By: [Signature] (SEAL)
S. Joseph Burke, Manager

EXHIBIT "A"**LEGAL DESCRIPTION:**

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND LYING AND BEING LOCATED WITHIN LAND LOTS 800 AND 829 OF THE 19th LAND DISTRICT, COBB COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AS 7.732 ACRES (336,814 SQ. FT.) AND DESIGNATED ON ALTA/NSPS LAND TITLE SURVEY FOR PARADIGM ENGINEERING INC., DATED MARCH 21, 2018 PREPARED BY HARDY SURVEYING GROUP AND HAS THE FOLLOWING METES AND BOUNDS TO WIT.

BEGINNING AT AN AXEL FOUND AT THE COMMON CORNER TO LAND LOTS 800, 801, 828, AND 829, SAID AXEL BEING THE TRUE POINT-OF-BEGINNING (P.O.B.) THENCE CONTINUING ALONG THE COMMON LINE TO N/F MACLAND MEADOWS SUBDIVISION (PB:107/PG:2) AND ALONG THE COMMON LINE TO LAND LOTS 800 AND 801 NORTH 00 DEGREES 25 MINUTES 44 SECONDS EAST (N00°25'44"E) FOR A DISTANCE OF 219.06 FEET TO A #4 REBAR FOUND AT THE COMMON CORNER TO MACLAND MEADOWS SUBDIVISION AND N/F MACLAND WOODS SUBDIVISION (PB:19/PG:71); THENCE TURNING AND LEAVING THE COMMON LAND LOT LINE AND CONTINUING ALONG THE LINE OF LOT 13 OF N/F MACLAND WOODS SUBDIVISION SOUTH 84 DEGREES 48 MINUTES 28 SECONDS EAST (S84°48'28"E) FOR A DISTANCE OF 138.43 FEET TO A 1 INCH CRIMPED TOP PIPE FOUND; THENCE CONTINUING ALONG THE LINE OF LOT 12 SOUTH 84 DEGREES 59 MINUTES 44 SECONDS EAST (S84°59'44"E) FOR A DISTANCE OF 100.08 FEET TO A 1 INCH CRIMPED TOP PIPE FOUND; THENCE CONTINUING ALONG THE LINE OF LOT 11 SOUTH 84 DEGREES 51 MINUTES 53 SECONDS EAST (S84°51'53"E) FOR A DISTANCE OF 99.96 FEET TO A 1 INCH OPEN TOP PIPE FOUND; THENCE CONTINUING ALONG THE LINE OF LOTS 8, 9, AND 10, SOUTH 84 DEGREES 44 MINUTES 05 SECONDS EAST (S84°44'05"E) FOR A DISTANCE OF 257.10 FEET TO A #4 REBAR FOUND; THENCE LEAVING THE LINE TO N/F MACLAND WOODS SUBDIVISION AND CONTINUING ALONG THE COMMON LINE TO N/F HD DEVELOPMENT OF MARYLAND INC. (DB:14550/PG:5137) SOUTH 05 DEGREES 15 MINUTES 23 SECONDS WEST (S05°15'23"W) FOR A DISTANCE OF 401.58 FEET TO A #4 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE NORTH 84 DEGREES 42 MINUTES 04 SECONDS WEST (S84°42'04"W) FOR A DISTANCE OF 71.56 FEET TO A #4 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 05 DEGREES 14 MINUTES 57 SECONDS WEST (S05°14'57"W) FOR A DISTANCE OF 264.58 FEET TO A #4 REBAR FOUND AT THE COMMON CORNER TO N/F DEVAZ LLC; THENCE TURNING AND CONTINUING ALONG THE COMMON LINE TO N/F DEVAZ LLC (DB:14187 PG:225) NORTH 69 DEGREES 04 MINUTES 22 SECONDS WEST (N69°04'22"W) FOR A DISTANCE OF 37.29 FEET TO A #4 REBAR FOUND; THENCE CONTINUING ALONG THE LINE OF N/F DEVAZ LLC NORTH 74 DEGREES 47 MINUTES 52 SECONDS WEST (N74°47'52"W) FOR A DISTANCE OF 15.92 FEET TO A #4 REBAR FOUND AT THE COMMON CORNER TO PWREI POWDER SPRINGS LLC; THENCE TURNING AND CONTINUING ALONG THE COMMON LINE TO PWREI POWDER SPRINGS LLC (DB:15291/PG:4436) NORTH 67 DEGREES 43 MINUTES 02 SECONDS WEST (N67°43'02"W) FOR A DISTANCE OF 340.57 FEET TO A #4 REBAR FOUND; THENCE TURNING AND CONTINUING SOUTH 79 DEGREES 43 MINUTES 51 SECONDS WEST (S79°43'51"W) FOR A DISTANCE OF 14.19 FEET TO A #4 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 22 DEGREES 18 MINUTES 49 SECONDS WEST (S22°18'49"W) FOR A DISTANCE OF 195.87 FEET TO A #4 REBAR FOUND AT THE NORTH-EASTERLY RIGHT-OF-WAY TO RICHARD D SAILORS PARKWAY (R/W VARIES); THENCE TURNING AND CONTINUING ALONG THE NORTH-EASTERLY RIGHT-OF-WAY TO RICHARD D SAILORS PARKWAY NORTH 67 DEGREES 48 MINUTES 32 SECONDS WEST (N67°48'32"W) FOR A DISTANCE OF 19.34 FEET TO A NAIL FOUND IN PAVEMENT AT THE COMMON LINE TO

EXHIBIT "A" - CONTINUED

LAND LOTS 828 AND 829; THENCE TURNING AND CONTINUING ALONG THE COMMON LINE TO LAND LOTS 828 AND 829 NORTH 00 DEGREES 35 MINUTES 08 SECONDS EAST (N00°35'08"E) FOR A DISTANCE OF 3.98 FEET TO A NAIL FOUND IN THE PAVEMENT; THENCE TURNING AND CONTINUING NORTH 22 DEGREES 14 MINUTES 53 SECONDS EAST (N22°14'53"E) FOR A DISTANCE OF 90.66 FEET TO A POINT; THENCE TURNING AND CONTINUING NORTH 66 DEGREES 59 MINUTES 12 SECONDS WEST (N66°59'12"W) FOR A DISTANCE OF 35.56 FEET TO A POINT AT THE COMMON CORNER TO THOMAS CANNON AND THE COMMON LINE TO LAND LOTS 828 AND 829; THENCE TURNING AND CONTINUING ALONG THE COMMON LINE TO N/F THOMAS CANNON (DB:2356/Pg:501) AND THE COMMON LINE TO LAND LOTS 828 AND 829 NORTH 01 DEGREES 00 MINUTES 38 SECONDS EAST (N01°00'38"E) FOR A DISTANCE OF 419.57 FEET TO AN AXEL FOUND AT THE COMMON CORNER TO LAND LOTS 800, 801, 828 AND 829, SAID AXEL BEING THE TRUE POINT-OF-BEGINNING (P.O.B.)

TOGETHER WITH those easement rights arising under that certain Reciprocal Easement Agreement with Covenants, Conditions and Restrictions by and between Sembler Family Partnership #19, Ltd., a Florida limited partnership and Fog Georgia Twelve, LLC, a Georgia limited liability company, dated April 20, 2000, filed for record April 24, 2000 at 12:12 p.m., recorded in Deed Book 13257, Page 2616, Cobb County, Georgia Records; as amended by that certain First Amendment to Reciprocal Easement Agreement with Covenants, Conditions and Restrictions by and between Sembler Family Partnership #19, Ltd., a Florida limited partnership and Fog Georgia Twelve, LLC, a Georgia limited liability company, dated May 1, 2001, filed for record May 23, 2001 at 7:58 a.m., recorded in Deed Book 13368, Page 1351, Cobb County, Georgia Records; as re-recorded November 1, 2001 at 9:38 a.m., recorded in Deed Book 13437, Page 3607, Cobb County, Georgia Records; as further amended by that certain Second Amendment to Reciprocal Easement Agreement with Covenants, Conditions and Restrictions by Sembler Family Partnership #19, Ltd., a Florida limited partnership, dated January 26, 2006, filed for record February 1, 2006 at 1:21 p.m., recorded in Deed Book 14283, Page 5885, Cobb County, Georgia Records.

ALSO TOGETHER WITH those easement rights arising under that certain Sign Easement Agreement by and between Devaz, LLC, a North Carolina limited liability company, Home Depot U.S.A., Inc., a Delaware corporation and Sembler Family Partnership #19, Ltd., a Florida limited partnership, dated January 26, 2006, filed for record February 1, 2006 at 1:21 p.m., recorded in Deed Book 14283, Page 5919, Cobb County, Georgia Records; as assigned by that certain Assignment and Assumption of Sign Easement Agreement by and between Sembler Family Partnership #19, Ltd., a Florida limited partnership and Powder Springs Retail Investors, LLC, a Georgia limited liability company, dated as of June 2, 2006, filed for record June 29, 2006 at 9:40 a.m., recorded in Deed Book 14350, Page 1630, Cobb County, Georgia Records.

ALSO TOGETHER WITH those easement rights arising under that certain Reciprocal Easement Agreement by and between Powder Springs Retail Investors, LLC and HD Development of Maryland, Inc., dated as of January 23, 2009, filed for record March 24, 2009 at 10:08 a.m., recorded in Deed Book 14676, Page 6027, Cobb County, Georgia Records.

ALSO TOGETHER WITH those easement rights arising under that certain Reciprocal Easement Agreement by and between Powder Springs Retail Investors, LLC and Devaz, LLC, undated, filed for record September 8, 2009 at 3:15 p.m., recorded in Deed Book 14723, Page 60, Cobb County, Georgia Records.

EXHIBIT "B"**PERMITTED EXCEPTIONS**

1. Taxes and assessments for the year 2019 and subsequent years, not due and payable.
2. Agreement Regarding REA by and between REO Funding Solutions VI, LLC, a Georgia limited liability company and PWREI Powder Springs Pad, LLC, a Georgia limited liability company, dated February 12, 2016, filed for record February 16, 2016 at 3:57 p.m., recorded in Deed Book 15313, Page 5419, Cobb County, Georgia Records.
3. Reciprocal Easement Agreement with Covenants, Conditions and Restrictions by and between Sembler Family Partnership #19, Ltd., a Florida limited partnership and Fog Georgia Twelve, LLC, a Georgia limited liability company, dated April 20, 2000, filed for record April 24, 2000 at 12:12 p.m., recorded in Deed Book 13257, Page 2616, Cobb County, Georgia Records; as amended by that certain First Amendment to Reciprocal Easement Agreement with Covenants, Conditions and Restrictions by and between Sembler Family Partnership #19, Ltd., a Florida limited partnership and Fog Georgia Twelve, LLC, a Georgia limited liability company, dated May 1, 2001, filed for record May 23, 2001 at 7:58 a.m., recorded in Deed Book 13368, Page 1351, Cobb County, Georgia Records; as re-recorded November 1, 2001 at 9:38 a.m., recorded in Deed Book 13437, Page 3607, Cobb County, Georgia Records; as further amended by that certain Second Amendment to Reciprocal Easement Agreement with Covenants, Conditions and Restrictions by Sembler Family Partnership #19, Ltd., a Florida limited partnership, dated January 26, 2006, filed for record February 1, 2006 at 1:21 p.m., recorded in Deed Book 14283, Page 5885, Cobb County, Georgia Records.
4. Easement from Sembler Family Partnership #19, LTD to City of Powder Springs, a political subdivision of the State of Georgia, dated May 30, 2001, filed for record February 11, 2004 at 10:49 a.m., recorded in Deed Book 13928, Page 564, Cobb County, Georgia Records.
5. Easement from Sembler Family Partnership #19, LTD. to City of Powder Springs, a political subdivision of the State of Georgia, dated May 30, 2001, filed for record February 11, 2004 at 10:49 a.m., recorded in Deed Book 13928, Page 566, Cobb County, Georgia Records.
6. Declaration of Restrictive Covenants by Sembler Family Partnership #19, Ltd., a Florida limited partnership, dated as of January 26, 2006, filed for record February 1, 2006 at 1:21 p.m., recorded in Deed Book 14283, Page 5911, Cobb County, Georgia Records.
7. Terms, conditions and obligations as contained in that certain Sign Easement Agreement by and between Devaz, LLC, a North Carolina limited liability company, Home Depot U.S.A., Inc., a Delaware corporation and Sembler Family Partnership #19, Ltd., a Florida limited partnership, dated January 26, 2006, filed for record February 1, 2006 at 1:21 p.m., recorded in Deed Book 14283, Page 5919, Cobb County, Georgia Records; as assigned by that certain Assignment and Assumption of Sign Easement Agreement by and between Sembler Family Partnership #19, Ltd., a Florida limited partnership and Powder Springs Retail Investors, LLC, a Georgia limited liability company, dated as of June 2, 2006, filed for record June 29, 2006 at 9:40 a.m., recorded in Deed Book 14350, Page 1630, Cobb County, Georgia Records.

8. Temporary Construction Easement and Slope Easement Agreement by and between Home Depot U.S.A., Inc., a Delaware corporation and Sembler Family Partnership #19, Ltd., a Florida limited partnership, dated as of January 26, 2006, filed for record February 1, 2006 at 1:21 p.m., recorded in Deed Book 14283, Page 5941, Cobb County, Georgia Records.
9. Reciprocal Easement Agreement by and between Powder Springs Retail Investors, LLC and HD Development of Maryland, Inc., dated as of January 23, 2009, filed for record March 24, 2009 at 10:08 a.m., recorded in Deed Book 14676, Page 6027, Cobb County, Georgia Records.
10. Reciprocal Easement Agreement by and between Powder Springs Retail Investors, LLC and Devaz LLC, undated, filed for record September 8, 2009 at 3:15 p.m., recorded in Deed Book 14723, Page 60, Cobb County, Georgia Records.
11. Riparian rights of adjoining owners with respect to the creek traversing the premises.
12. Those matters as disclosed by that certain survey entitled "ALTA/ACSM Land Title Survey for Atlantic Development Partners, LLC, DRL Law, LLC & Fidelity National Title Insurance Company", prepared by Hardy Surveying Group, LLC, bearing the seal and certification of Steven M. Hardy, Georgia Registered Land Surveyor No. 2662, dated March 21, 2018, being Project No. 18-006, as follows:
 - (a) Fence crossing the westerly and southerly boundary lines of subject property;
 - (b) Sanitary sewer line crossing the northerly, easterly, westerly and southeasterly boundary lines of subject property;
 - (c) Shed crossing the northerly boundary line of subject property;
 - (d) Stream crossing the northerly boundary line of subject property;
 - (e) Detention pond located in the northerly portion of subject property;
 - (f) 25 foot impervious surface buffer and 50 foot undisturbed stream buffer traversing the northern portion of the property;
 - (g) Drainage lines crossing the southerly and southwesterly boundary lines of subject property.



P.O. Box 46
 4488 Pineview Drive
 Powder Springs, GA 30127
 Phone: 770-943-1666
 Fax: 770-943-8003

October 1, 2020

Shana Hines
 The Planning and Zoning Resource Company
 E-mail: shana.hines@pzs.com 404-546-4472

Subject Property/Parcels: 1046 /1048Richard D. Sailors Parkway, Powder Springs, GA
 (Ref # 140530-1)

To Whom It May Concern:

In response to your request for information regarding the above-referenced property, we have researched our files and present the following:

1. **The current zoning classification for the subject property is Community Retail Commercial (CRC) with conditions allowing a Hotel and a Self-service storage facility - Climate controlled.**

2. **According to the zoning ordinances and regulations of this district, the use of the subject went through the following rezoning:**

Previous permitted use:

- May 15, 2006: Rezoned and approved from LRO and CRC to NRC for a retail development with conditions.
- July 21, 2008: Rezoned from NCR to CRC with conditions to allow a movie theater serving alcoholic beverages, a wine and spirit store, karate studio and a learning center.

Current permitted use:

- Hotel approved via rezoning. Self-service storage facility climate controlled is an approved use via a Special Use approval granted on August 20, 2018. See attached conditions.

- Permitted Use by Right - Hotel is permitted in the CRC zoning district
- Permitted Use by Special/Specific Use Permit (see comments, or attached approval documentation) - **Self-service storage facility climate controlled is an approved use via a Special Use approval granted on August 20, 2018.**
- Permitted Use by Conditional Use Permit (see comments, or attached approval documentation)
- Legal Non-Conforming Use (use was existing prior to the adoption of the zoning ordinance/code)
- Non-Permitted Use

3. **Adjacent property zoning designation:** North: Residential Zoning District R20
 South: Residential Zoning District R20
 East: Community Retail Commercial (CRC)
 West: Residential Zoning District (R15)

4. **Conformance: Per current zoning ordinances and regulations applicable to the subject property, the current structure(s) is:**

- Legal Conforming (complies with, or is otherwise exempt from, applicable zoning regulations, including parking)
- Legal Non-Conforming (does not meet the current zoning requirements due to amendments, re-zoning, variance granted or other changes. See comments)
- Grandfathered (developed prior to the adoption of the zoning code/ordinance)
- Non-Conforming (see comments)

Comment: Development of the site must be consistent with the Zoning stipulations and the Unified Development Code.

5. Have any variances, special permits/exceptions, ordinances or conditions been granted/approved for the subject property:

- No, There do not appear to be any variances, special permits/exceptions, ordinances or conditions that apply to the Subject property.
- Yes, The following apply to the subject property: _____ Variance
(Documentation/copies attached) _____x_____ Special Permit/Exception and Rezoning
_____ Ordinance
_____x_____ Conditions Conditions are attached

Comment: _____

6. Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:

- May be rebuilt in its current form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable).
- May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations or requirements. Please see section _____ of the current zoning code/ordinance for details.

7. Code Violations Information:

- There do NOT appear to be any outstanding/open zoning, building or fire code violations that apply to the subject property.
- The following outstanding/open _____ zoning / _____ building / _____ fire code violations apply to the subject property:

Comment: _____

8. Certificate of Occupancy (required for the use, operation and occupancy of the subject property), status: Certificate of Occupancy has not been issued building is not complete.

- Self-Storage Facility -CO issued in 2019 - not attached
Hotel - not additional permits requested, parcel currently vacant

9. Site Plan Information:

- The subject property was not subject to a site plan approval process
- The subject property was subject to site plan approval; a copy of the approved site plan is attached
- The subject property was subject to site plan approval, but a copy of the approved site plan is no longer in existence (was lost or destroyed). All other existing documents applicable to site plan approval for the site are attached.
- An approved site plan for the subject property is on file, but our office does not have the necessary resources to reproduce and distribute copies of the plan. All other existing documents applicable to site plan approval are attached.
- Other, (as noted here):

Comment: Please see attached approved site plan _____

Further comments regarding the subject property:

No violation on file.

ZONING AUTHORITY:

By: Shauna Edwards

Municipality: City of Powder Springs

Title: Special Projects Coordinator for Zoning and Plan Review

Department: Community Development

Printed Name: Shauna Wilson-Edwards

Phone: 70-943-8001 sedwards@cityofpowdersprings.org

PLEASE SEE ATTACHED:

- 1. July 16, 2018 Mayor and Council Minutes: PZ 18-019: Rezoning from CRC conditional to CRC Conditional
PZ 18-020: Special use to allow Self-Storage Facility, Climate Control

A motion to approve with conditions.

1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned applications.

2. The architectural style, composition and design of the proposed buildings shall be in substantial conformity to architectural renderings/elevations dated June 19, 2018. Said renderings/elevations shall depict exterior materials on all four (4) sides of the buildings consisting primarily of brick, stone, and other cementitious-type components approved by the Community Development Director. Renderings/elevations may contain up to 40% EIFS which will be permitted through design review as approved by the Community Development Director. PROVISIO TO REFLECT THE ACCESS WOULD BE PER THE SITE PLAN DATED 05/24/18 BUT ACCESS TO THE ACTUAL STORAGE UNIT THEMSELVES FROM THE INTERIOR ONLY.

3. The rezoning of the subject property shall be from Conditional CRC to Conditional CRC for the purposes of the development of a Climate Control Self-Service Storage Facility (CCSSSF) which includes a request for a Special Use Permit ("SUP") for the development of a Hotel in substantial conformity to the Revised Site Plan prepared by Paradigm Engineering Services, Inc., which is being submitted concurrently herewith and is dated May 24, 2018.

4. The hours of operation for the CCSSSF offices shall be from 8:00 a.m. until 7:00 p.m. (Monday-Saturday) and from 1:00 p.m. until 6:00 p.m. on Sundays. There shall be no access to the proposed building from midnight until 6:00 a.m. Access to the CCSSSF building shall be facilitated with entry being via keycards and/or punch code pads. Activity within strategic locations throughout the facility shall be monitored by meaningfully positioned video security systems. The proposed Hotel

building shall provide access after the customary check-in process by way of keycard entry.

5. Utilization of low-intensity, environmental-type lighting which shall be subject to review and approval by staff. All exterior lighting shall be shielded and direct illumination shall be confined within the perimeter of the subject property. During the Plan Review Process, Shamrock shall submit a specific Photometric Plan which will also reflect (to the extent security is not compromised) the positioning and specifics regarding security protocols.

6. The positioning of stormwater management, detention and water quality are in place and were previously constructed on the subject property. Shamrock's Civil Engineers are presently studying the configuration of detention and have preliminarily concluded that stormwater/detention components have been built in accordance with calculations which take into consideration the amount of proposed impervious surfaces as the result of the construction of both the CCSSSF and the Hotel. Updated Hydrology study must be provided during Plan review process to confirm site meets current regulations.

7. Compliance with recommendations from the Cobb County Fire Department regarding Life-Safety and Fire Prevention Issues, including the following:

a. Compliance with regulations requiring a minimum of 150' "hose pull" concerning fire protection and fire suppression for the proposed buildings.

b. The installation of automatic sprinkler systems within the buildings.

c. Compliance with International Fire Code ("IFC") Section 510 regarding Emergency Notification to accommodate public safety and life safety regulations.

8. Compliance with the City's Engineering and Public Works Staff regarding traffic and transportation issues to the extent not in conflict with existing publicly recorded documentation to the contrary.

11. The hotel, subject of this application, shall have entry to individual guest rooms through a central lobby and all stays be limited to less than 15 days, except that 6 rooms may have stays in excess of 15 days. PROVISIO FOR ALLOWANCE OF ADDITIONAL ROOMS IN EXCESS OF 15 DAY STAY AT FUTURE DATE AFTER REVIEW BY MAYOR AND COUNCIL AND WITH THE AGREEMENT OF APPLICANT. BOTH THE NUMBER OF ROOMS AND THE LENGTH OF STAY.

9. The submission of a Landscape Plan during the Plan Review Process which shall be subject to final review and approval by the staff. Additionally, existing planted buffer will be maintained within 30 days of this approval.

10. Signage for the proposed development (including the CCSSSF and the Hotel), shall include ground-based, monument style signage located on or adjacent to the subject property's frontage on Sailors Parkway or at such other locations as may be determined during the Plan Review Process and consist of building identification signage. The ground-based signage shall be incorporated into the Landscape Plan, lighted in accordance with City requirements and irrigated as such landscaping requires. This signage shall include shared signage space for the tenants located in the retail space located directly to the south of the site.

Special Use Approval Conditions

A motion to approve with conditions.

- 1. Violation of the conditions of approval will render the approval null and void.**

- 2. Self-Service Storage Facility, Climate Control must meet the provisions outlined in Article 4 of the Unified Development Code. This includes that there would be no outdoor storage or overnight parking and all entry shall be from one main or central point. PROVISIO TO REFLECT THE ACCESS WOULD BE PER THE SITE PLAN DATED 05/24/18 BUT ACCESS TO THE ACTUAL STORAGE UNIT THEMSELVES FROM THE INTERIOR ONLY.**

- 3. All parking and loading areas designated or intended for public use after dark shall have lighting. The illumination for, and glare from this facility shall be designed so that the lighting is shielded or aimed away from adjacent residential properties. This requirement must be depicted on the photometric plan at the Development Review Phase.**

- 4. An eight (8) foot opaque fence shall be erected along the west property line, subject to staff review. This fence may also be black clad vinyl chain link fence with sufficient landscaping.**

- 5. The hours of operation for the CCSSSF offices shall be from 8:00 a.m. until 7:00 p.m. (Monday-Saturday) and from 1:00 p.m. until 6:00 p.m. on Sundays. There shall be no access to the proposed building from midnight until 6:00 a.m. Access to the CCSSSF building shall be facilitated with entry being via keycards and/or punch code pads.**

- 6. Architectural design shall be substantially in accordance with the rendering dated June 19, 2018; No EFIS or stucco is permitted. The site must also be accordance with Section 4-266, which will be determined during design and development plan review.**

- 7. If commencement of the development does not occur within 18 months of this approval, the applicant will be required to reapply for special use approval.**

EXHIBIT “A” – ATTACHMENT TO APPLICATION FOR REZONING

Application No.: _____
Planning Commission Hearing: **March 23, 2026**
Mayor and City Council Hearing: **April 6, 2026**

Applicant: **Shamrock Building Systems, Inc.**
Titleholder: **Powder Springs Storage, LLC**

Tax Parcel Number: **19082900180**

Applicant’s and Property Owner’s Representative:

J. Kevin Moore, Esq.
Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook, Suite 100
326 Roswell Street
Marietta, Georgia 30060
(770) 429-1499 (Office)
(770) 429-8631 (Telefax)
E-mail: jk@mijs.com

LEGAL DESCRIPTION (TRACT 2)

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND LYING AND BEING LOCATED WITHIN LAND LOTS 800 AND 829 OF THE 19th LAND DISTRICT, COBB COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AND DESIGNATED BY HARDY SURVEYING GROUP AND HAS THE FOLLOWING METES AND BOUNDS TO WIT.

COMMENCING AT AN AXLE FOUND AT THE COMMON CORNER TO LAND LOTS 800, 801, 828, AND 829, SAID AXLE BEING THE **POINT-OF-COMMENCEMENT (P.O.C.)** THENCE CONTINUING ALONG THE COMMON LINE TO N/F MACLAND MEADOWS SUBDIVISION (PB:107/PG:2) AND ALONG THE COMMON LINE TO LAND LOTS 800 AND 801 NORTH 00 DEGREES 25 MINUTES 44 SECONDS EAST (N00°25'44"E) FOR A DISTANCE OF 219.06 FEET TO A #4 REBAR FOUND AT THE COMMON CORNER TO MACLAND MEADOWS SUBDIVISION AND N/F MACLAND WOODS SUBDIVISION (PB:19/PG:71); THENCE TURNING AND LEAVING THE COMMON LAND LOT LINE AND CONTINUING ALONG THE LINE OF LOT 13 OF N/F MACLAND WOODS SUBDIVISION SOUTH 84 DEGREES 48 MINUTES 28 SECONDS EAST (S84°48'28"E) FOR A DISTANCE OF 138.43 FEET TO A 1 INCH CRIMPED TOP PIPE FOUND; THENCE CONTINUING ALONG THE LINE OF LOT 12 SOUTH 84 DEGREES 59 MINUTES 44 SECONDS EAST (S84°59'44"E) FOR A DISTANCE OF 100.08 FEET TO A 1 INCH CRIMPED TOP PIPE FOUND; THENCE CONTINUING ALONG THE LINE OF LOT 11 SOUTH 84 DEGREES 51 MINUTES 53 SECONDS EAST (S84°51'53"E) FOR A DISTANCE OF 99.96 FEET TO A 1 INCH OPEN TOP PIPE FOUND; THENCE CONTINUING ALONG THE LINE OF LOT 10, SOUTH 84 DEGREES 44 MINUTES 05 SECONDS EAST (S84°44'05"E) FOR A DISTANCE OF 83.79 FEET TO A POINT, SAID POINT BEING THE **TRUE POINT-OF-BEGINNING (P.O.B.)**;

FROM THE **POINT-OF-BEGINNING (P.O.B.)** THUS ESTABLISHED, THENCE CONTINUING ALONG THE COMMON LINE TO LOTS 8, 9, AND 10 OF N/F MACLAND WOODS SUBDIVISION SOUTH 84 DEGREES 44 MINUTES 05 SECONDS EAST (S84°44'05"E) FOR A DISTANCE OF 173.31 FEET TO A #4 REBAR FOUND THENCE LEAVING THE LINE TO N/F MACLAND WOODS SUBDIVISION AND CONTINUING ALONG THE COMMON LINE TO N/F HD DEVELOPMENT OF MARYLAND INC. (DB:14550/PG:5137) SOUTH 05 DEGREES 15 MINUTES 23 SECONDS WEST (S05°15'23"W) FOR A DISTANCE OF 401.58 FEET TO A #4 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE NORTH 84 DEGREES 42 MINUTES 04 SECONDS WEST (S84°42'04"W) FOR A DISTANCE OF 71.56 FEET TO A #4 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 05 DEGREES 14 MINUTES 57 SECONDS WEST (S05°14'57"W) FOR A DISTANCE OF 264.58 FEET TO A #4 REBAR FOUND AT THE COMMON CORNER TO N/F DEVAZ LLC; THENCE TURNING AND CONTINUING ALONG THE COMMON LINE TO N/F DEVAZ LLC (DB:14187 PG:225) NORTH 69 DEGREES 04 MINUTES 22 SECONDS WEST (N69°04'22"W) FOR A DISTANCE OF 37.29 FEET TO A #4 REBAR FOUND; THENCE CONTINUING ALONG THE LINE OF N/F DEVAZ LLC NORTH 74 DEGREES 47 MINUTES 52 SECONDS WEST (N74°47'52"W) FOR A DISTANCE OF 15.92 FEET TO A #4 REBAR FOUND AT THE COMMON CORNER TO PWREI POWDER SPRINGS LLC; THENCE TURNING AND CONTINUING ALONG THE COMMON LINE TO PWREI POWDER SPRINGS LLC (DB:15291/PG:4436) NORTH 67 DEGREES 43 MINUTES 02 SECONDS WEST (N67°43'02"W) FOR A DISTANCE OF 239.31 FEET TO A POINT; THENCE TURNING AND CONTINUING NORTH 22 DEGREES 17 MINUTES 02 SECONDS EAST (N22°17'02"E) FOR A DISTANCE OF 609.98' TO A POINT AT THE COMMON LINE TO LOT 10 OF N/F MACLAND WOODS SUBDIVISION, SAID POINT BEING THE **TRUE POINT-OF-BEGINNING (P.O.B.)**

Ess Storage Acquisition Thirty Two Llc
6890 S 2300 E Pmb 71870
Salt Lake City, UT, 84171

Powder Springs Storage Llc
5825 Gore Pl
Austell, GA, 30106

Hd Development Of Maryland Inc
Property Tax Dept Re6940 Po Box 105842
Atlanta, GA, 30348

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
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BRENTWOOD, TENNESSEE
12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
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2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
165 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

March 5, 2026

RE: Rezoning - Change in Rezoning Conditions for property located at 1048 Richard D. Sailors Parkway, within Land Lot 829, of the 19th District, 2nd Section, City of Powder Springs, Cobb County, Georgia (hereinafter “Property” or “Subject Property”)

Applicant: Shamrock Building Systems, Inc.; 1298 Concord Road, S.E., Smyrna, Georgia 30080

Location: Undeveloped parcel being more particularly known as 1048 Richard D. Sailors Parkway, located northerly of Richard D. Sailors Parkway, westerly of the intersection of New Macland Road and Richard D. Sailors Parkway, being Tax Parcel No. 19082900180, within Land Lot 829, of the 19th District, 2nd Section, City of Powder Springs, Cobb County, Georgia

Dear Neighbors:

The undersigned and this firm represent Shamrock Building Systems, Inc. An Application for Rezoning has been filed to amend certain rezoning conditions regarding the referenced the Property.

The Application will be heard before the Planning and Zoning Commission and the Mayor and City Council on the following dates:

Thursday, March 12, 2026, at 7:00 p.m. – Planning and Zoning Agenda Meeting

Location: 4483 Pineview Drive (City Hall – Gallery Space);

Monday, March 23, 2026, at 7:00 p.m. – Planning and Zoning Public Hearing

Location: 4483 Pineview Drive (City Hall – Council Chambers);

Wednesday, April 1, 2026, at 5:00 p.m. – Mayor and City Council Agenda Meeting

Location: 4483 Pineview Drive (City Hall – 2nd floor Conference Room);

Monday, April 6, 2026, at 7:00 p.m. – Mayor and Council Public Hearing

Location: 4483 Pineview Drive (City Hall – Council Chambers).

MOORE INGRAM JOHNSON & STEELE

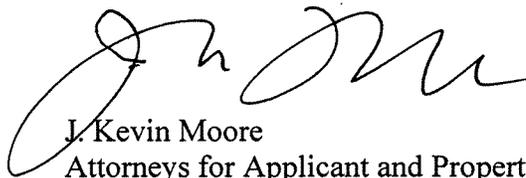
Page 2 of 2
March 5, 2026

Please visit the City of Powder Springs website at www.cityofpowdersprings.org for ZOOM links, physical meeting location details, and additional information and instructions. Any changes to the City meetings will also be updated on its website.

Should you have any questions, please feel free to contact the City of Powder Springs at 770-943-1666, ext. 307, or you may e-mail Kerisha Black with the City of Powder Springs, at kblack@cityofpowdersprings.org.

Very truly yours,

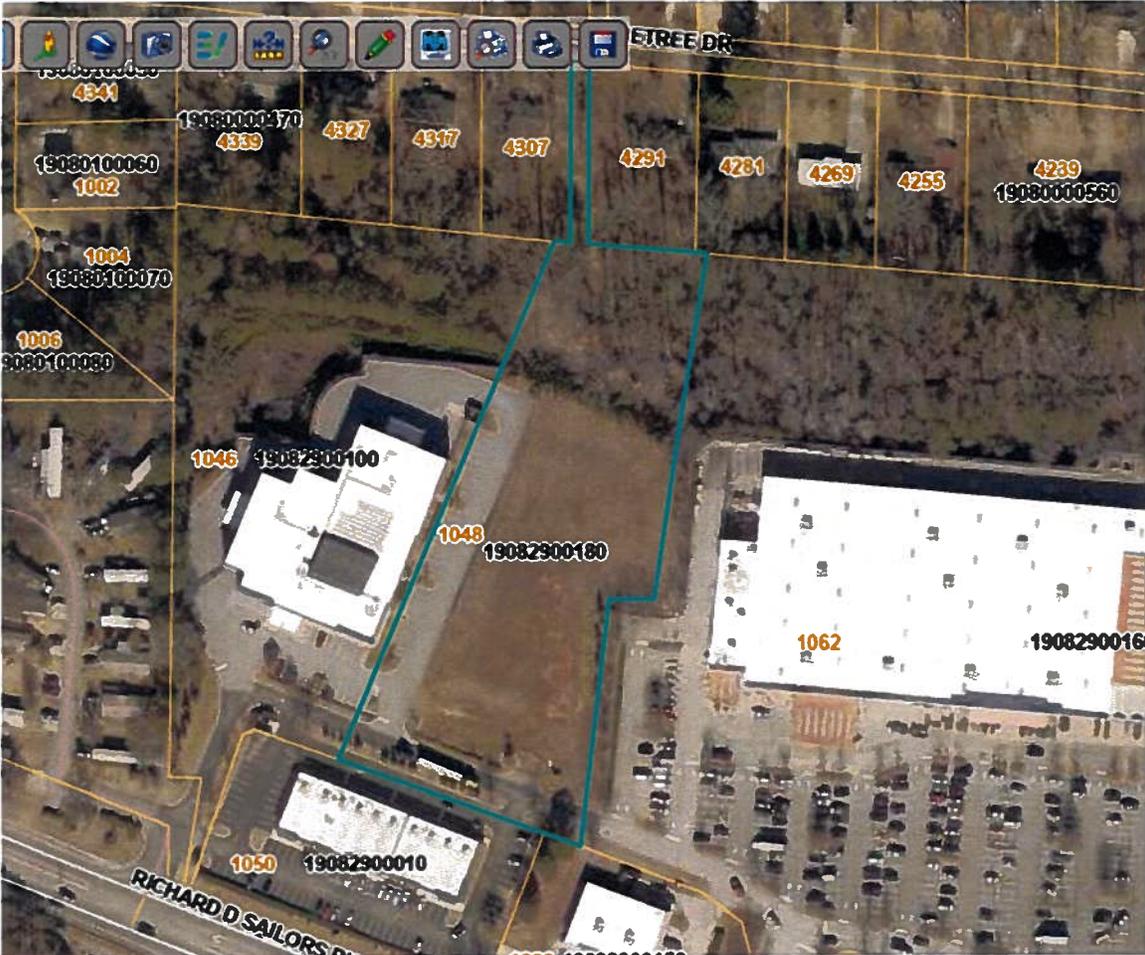
MOORE INGRAM JOHNSON & STEELE, LLP



J. Kevin Moore
Attorneys for Applicant and Property Owner

Attachment

Exhibit 1: Site Plan







1048 Richard D. Sailors Parkway - Vicinity Map



2/19/2026, 10:11:00 AM

1:2,257

Active Address

Commissioner Districts

District Four: (SW Cobb): Monique Sheffield

Cities

Powder Springs

Cobb Parcels

Cobb Roads

Arterials

Local

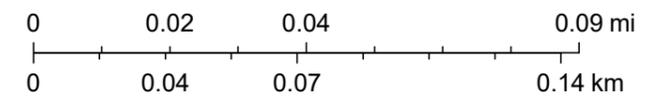
Local-Private

ORTHO

Red: Band_1

Green: Band_2

Blue: Band_3



Copyright Cobb County. All rights reserved., Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Cobb GIS and ArcGIS Online Team



City of Powder Springs

Staff Report

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

3/12/2026

Subject Property: 0 Hiram Lithia Springs Road

Parcel Number and Description: 19104600270 LL 1046 of the 19th District, 2nd Section

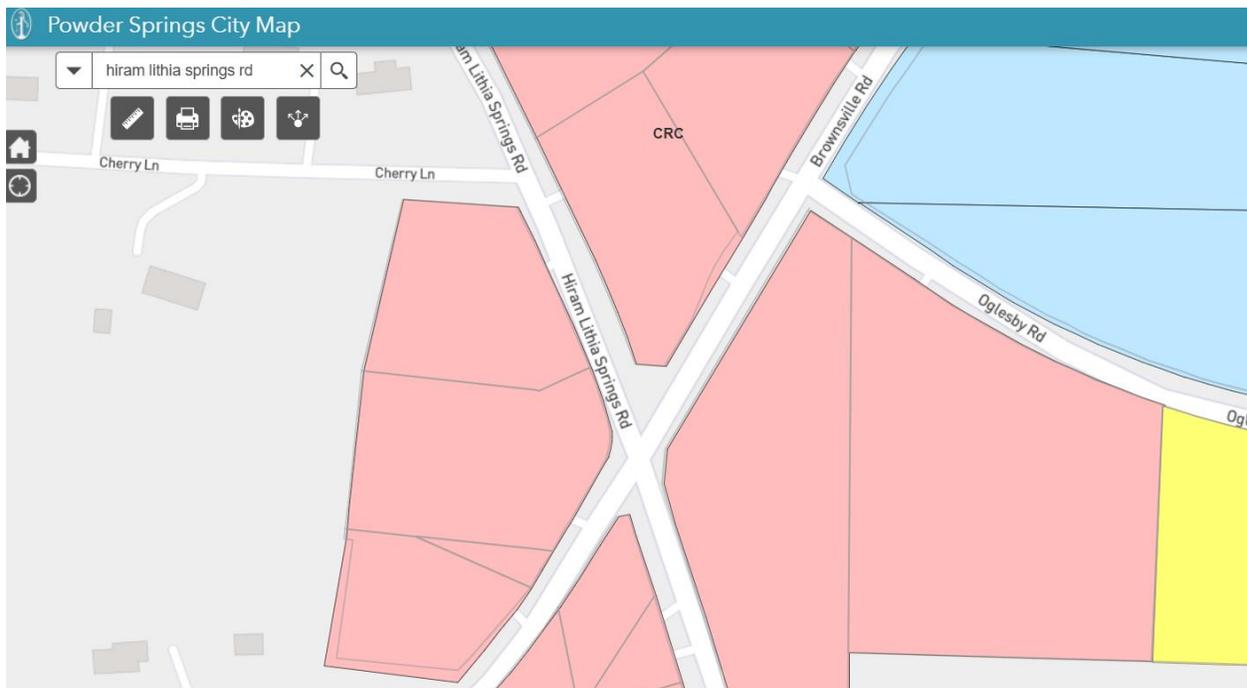
Zoning: CRC

Applicant requests a change in zoning conditions.

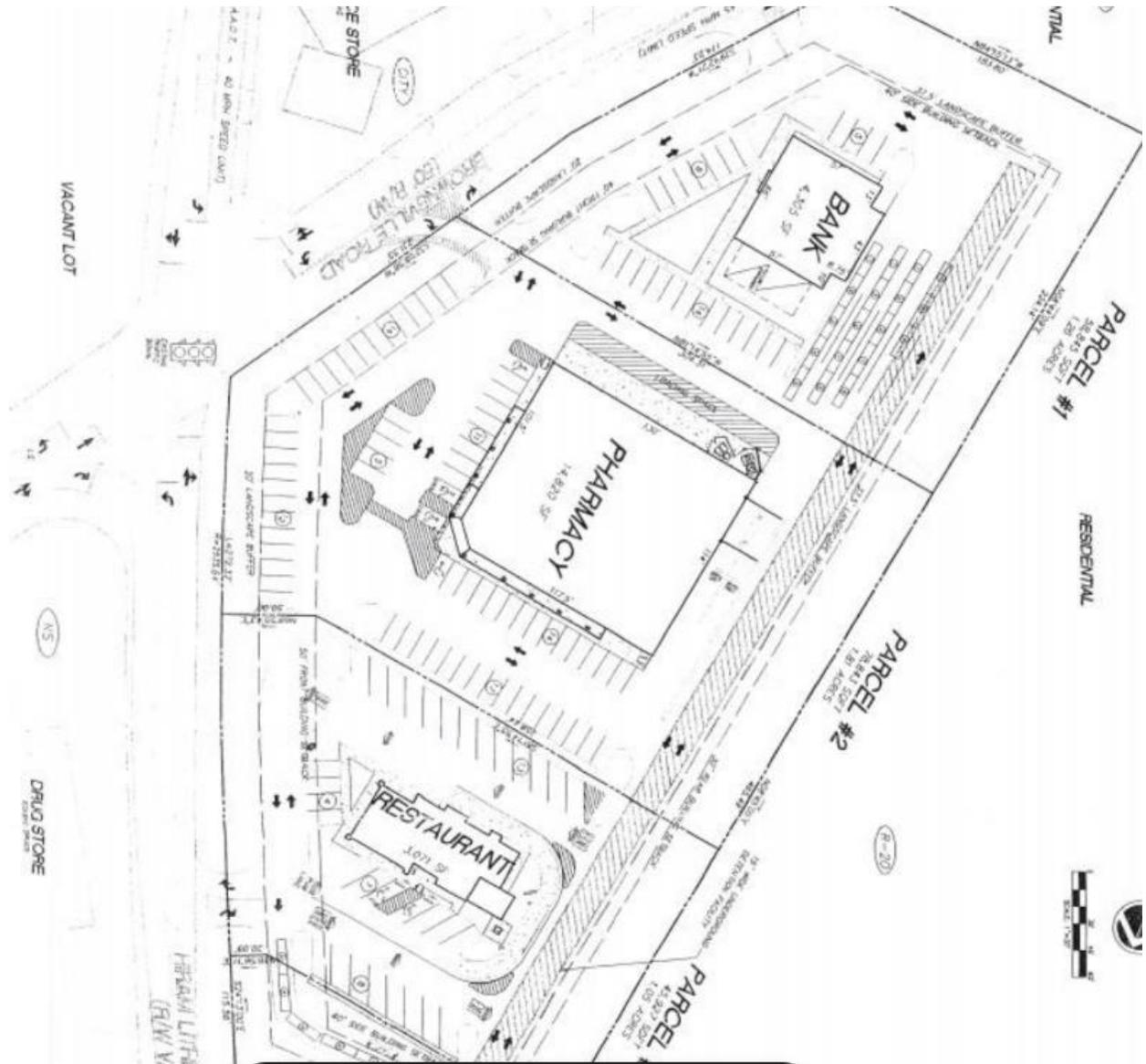
Background:

This subject property was annexed from Cobb county and rezoned along with the adjacent north and the adjacent south properties from R-20 and NS to CRC in January 2005. The subject property pad site was developed, but the pharmacy structure never was built.

What Applicant is Proposing: Rezone the subject property in order to amend the previously approved site plan and to allow a 10,000 sq ft 1-story with playground daycare facility instead of the site plan specific pharmacy use approved in the previous rezoning in January 2005.



What Original Site Plan was Slated to look like



Written Analysis (Applicant's Responses)

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.

The Subject Property is located in the City of Powder Springs as is noted as being in the NAC land use category on the City's Future Land Use Map ("FLUM"). The City of Powder Springs FLUM indicates nearby properties in the City of Powder Springs along this section of the Brownsville Road and Hiram Lithia Springs Road are delineated as being in the NAC land use categories. The proposed changes to the previously approved CRC zoning district and the proposed use contained and embodied within the Application will allow the Subject Property to be developed on a tract of land that is one of three undeveloped properties previously rezoned together in 2005. Applicant's proposed changes to the site plan and adopted stipulations relating to the 2005 rezoning are consistent with the prior rezoning and the applicable land use plan and map.

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.

The zoning proposal will permit a use of the property that is suitable in the context of development and existing zonings which are in direct contiguity or adjacent to the Subject Property that had originally been approved for the CRC zoning district. This proposal is to amend the previously approved site plan and stipulations to allow the parcel to be developed for a daycare facility that was originally approved for a pharmacy between a proposed restaurant and a proposed bank, none of which have been developed.

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.

The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the preponderance of which are commercially zoned in the City of Powder Springs and residential in Cobb County. Nearby properties within the City of Powder Springs have varying commercial uses.

d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned. The previously approved site plan had indicated the parcel would be developed for a Walgreens pharmacy. Economic conditions are no longer conducive to development of the Subject Property in that manner. The current proposal will instead allow the development of a 10,000 square-foot daycare facility, which is also allowed under the CRC zoning district. All of the three parcels that were part of the previous rezoning in 2005 remain undeveloped with the exception of the private driveway connecting to Hiram Lithia Springs Road and Brownsville Road.

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. The zoning proposal will have no adverse impact upon the existing infrastructure including, but not limited to, existing streets, fire and police protection, transportation facilities, utilities or schools.

g. Whether the proposed zoning district of CRC 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.

The proposed changes to the previously approved site plan and zoning conditions are substantially similar to the prior approvals and strike a similar balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property. The effect of the changes on the public will be negligible.

TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: ROSE MILLER

Printed at 03/04/26 15:30 by rmill-tj

Acct #: 110102

Ad #: 541332

Status: New WHOLD

CITY OF POWDER SPRINGS
KELLY AXT
PO BOX 46
POWDER SPRINGS GA 30073

Start: 03/06/2026 Stop: 03/06/2026
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.87 Words: 200
Total LEG 2.87
Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00
Ad Descrpt: PH-1375 0 LITHIA SPRINGS
Descr Cont: MDJ-1375 GPN-16 NOTICE OF
Given by: KERISHA BLACK
P.O. #: 0 LITHIA SPRINGS
Created: rmill 03/04/26 15:28
Last Changed: rmill 03/04/26 15:30

Contact:

Phone: (770)943-1666

Fax#:

Email: kaxt@powderspringsga.gov; PC

Agency:

PUB ZONE EDT TP RUN DATES
MDJ A 95 S 03/06

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

MDJ-1375
GPN-16
NOTICE OF PUBLIC HEARING
City of Powder Springs
REZONING - CHANGE IN
ZONING CONDITIONS

Notice is hereby given of an application to consider a change in rezoning conditions. The property is located at the intersection of Brownsville Rd and Hiram Lithia Springs Rd, Within land lot 046, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19104600270. The application will be considered by the Planning and Zoning Commission at its work session on Thursday, March 12th, 2026, at 7:00 pm, at its public hearing on Monday, March 23rd, 2026, at 7:00 pm, and by the Mayor and Council at its work session on Wednesday, April 1st, 2026, at 5:00 pm and its public hearing on Monday, April 6th, 2026, at 7:00 pm. All meetings will be held at City Hall located at 4483 Pineview Dr, Powder Springs GA 30127. If applicable, Zoom links will be available at www.powder-springsga.gov.

Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing and to sign in 20 minutes prior to the scheduled public hearing at city hall.

3:6-2026



Affidavit of Public Notification

Vision Development & Construction Services, LLC
26PDR-REZ00002

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 Brownsville Road and Hiram Lithia Springs Road

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 March 6, 2026. 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 March 5, 2026. 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.

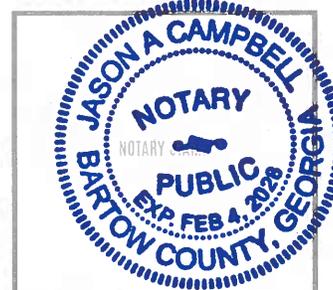
Notary Attestation

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

[Signature] Joel L. Larkin
Signature of Applicant Printed Name 03-06-2026
Date

Subscribed and sworn before me this 6th day of March 2026.

[Signature] Jason A. Campbell
Signature of Notary Public Name of Notary Public 02-04-2028
My Commission Expires





GARVIS L. SAMS, JR.
(1952-2025)
JOEL L. LARKIN
PARKS F. HUFF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

March 6, 2026

RE: Rezoning-Change in Rezoning Conditions. For 0 Hiram Lithia Springs Rd., within land lot 104 on the 19th District, 2nd section, Cobb County Georgia. PIN: 19104600270. Applicant: Joel L. Larkin, Attorney for Vision Development & Construction Services, LLC

Dear Neighbors:

My law firm and I are working with Vision Development & Construction Services, LLC to develop a daycare on the above-referenced property. The property has the required commercial zoning but was previously zoned for a brick Walgreens building pursuant to a specific site plan. We have filed an application to revise the zoning conditions to substitute a daycare for the Walgreens.

The application will be heard before the Planning and Zoning Commission, and Mayor and City Council on the following dates:

Planning and Zoning Commission: **Thursday, March 12th, 2026 at 7:00 PM** (Agenda Meeting) Planning and Zoning Commission: **Monday, March 23rd, 2026** (Public Hearing) at 7:00 pm. Mayor and City Council: Wednesday **April 1st, 2026 at 5pm** (Agenda Meeting)
Mayor and City Council: **Monday, April 6th, 2026** (Public Hearing) at 7:00 pm.

In addition, we will be holding a public input meeting on March 23rd at 5:30 pm at City Hall to allow interested neighbors to meet the Applicant and familiarize themselves with the proposal. We will be pleased to answer any questions that you may have at that meeting.

Please visit the City of Powder Springs' website at www.cityofpowdersprings.org for ZOOM links, physical meeting location details, and additional information and instructions. Any changes to the meetings will also be updated on the City's website.

Should you have any questions please feel free to contact the City of Powder Springs at 770-9431666 extension 307, or email Kerisha Black kblack@cityofpowdersprines.org. Feel free also to contact me by phone at (770) 422.7016 or by email at jlarkin@samslarkinbuff.com

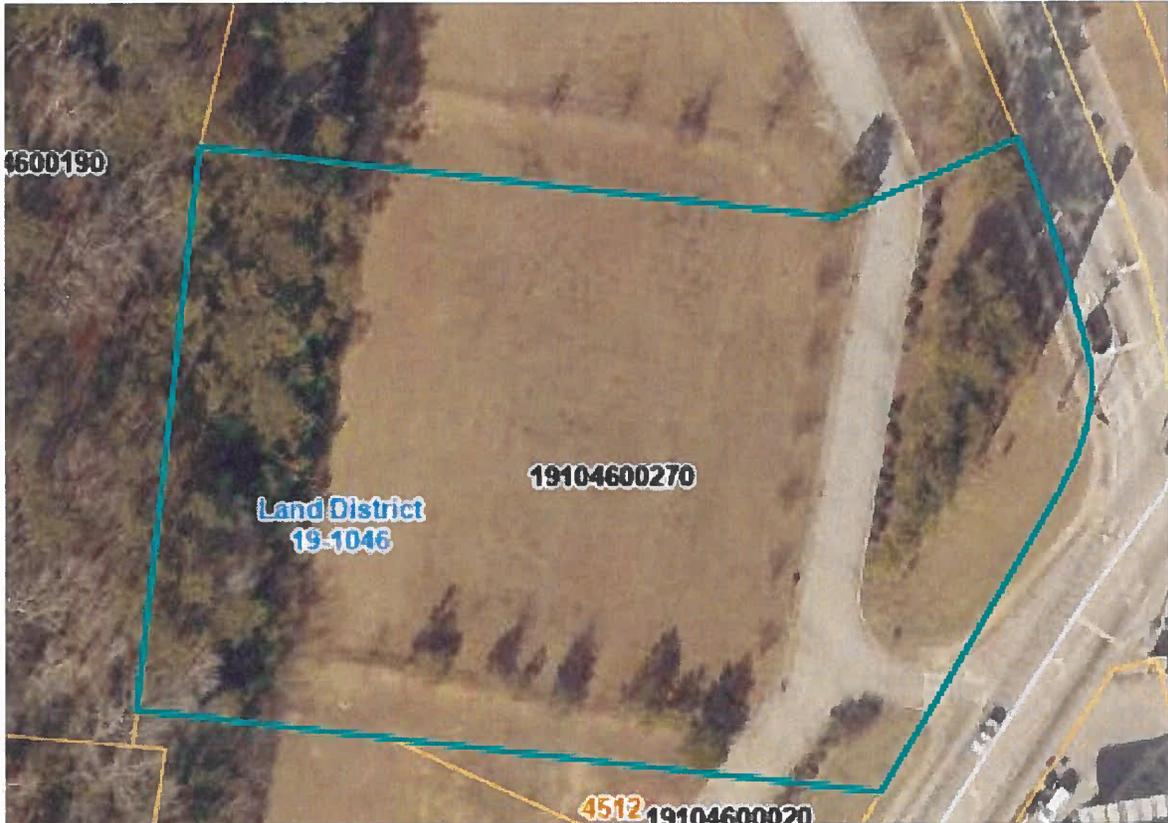
Thank you,
JOEL L. LARKIN
Attorney for Applicant





NOTICE LETTER
March 6, 2026
Page 2

Exhibit 1: Site Plan



Certificate of Mailing — Firm



Name and Address of Sender Sams, Larkin & Huff, LLP 376 Powder Springs Street Suite 100 Marietta, GA 30064		TOTAL NO. of Pieces Listed by Sender 9	TOTAL NO. of Pieces Received at Post Office™ MAR 06 2026 U.S. POSTAL SERVICE 26062 VIRGINIA GEORGIA 30062	Affix Stamp Here Postmark with Date of Receipt. 26062 VIRGINIA GEORGIA 30062 MAR 06 2026 U.S. POSTAL SERVICE			
USPS® Tracking Number Firm-specific Identifier		Address (Name, Street, City, State, and ZIP Code™) CHESSMAN RD, POB 1 1200 CHESSMAN RD. MARIETTA, GA 30063-6007 MARIETTA, GA 30063-6007 MARIETTA, GA 30063-6007		Postage	Fee	Special Handling	Parcel Air/ift
1. Please See Attached List							
2.							
3.							
4.							
5.							
6.							

U.S. POSTAGE PAID
 MARIETTA, GA
 30062
 MAR 06 26
 AMOUNT
\$6.30
 S2324P501253-05

Luca Barbara A
4575 Brownsville Rd Suite A
Powder Springs, GA, 30127

4511 Brownville Road Dg LicC/o Devonta Freeman
153 N Miller St Apt 48
Hazlehurst, GA, 31539

Jyotsna Properties Llc
470 Manor Oak Ln
Marietta, GA, 30067

Rxnow Llc
116 Jefferson St S Suite 204
Huntsville, AL, 35801

Hall Jeffrey Jay & Sandra Kay
6432 Rose Cir
Douglasville, GA, 30134

Bj Package Inc
4481 Hiram Lithia Springs Rd Sw
Powder Springs, GA, 30127

Duran Blanca & Tello Manuel
5552 Retreat Xing Sw
Mableton, GA, 30126

Brock Investments Inc
2591 Hiram Acworth Hwy
Dallas, GA, 30157

Luna Rigoberto Correa
5080 Blunsch Dr
Powder Springs, GA, 30127





ZONING NOTICE
Application has been made
to rezone this property
For _____
From _____
Changing of Conditions
To be heard by
Powder Springs Planning Commission
on _____ at 7:00PM
and by the
Mayor & City Council
on _____ at 7:00PM
Location _____



ZONING NOTICE
Application has been made
to rezone this property
For _____
From _____
Changing of Conditions

To be heard by
Powder Springs Planning Commission
on March 23rd at 7:00PM
and by the
Mayor & City Council
on April 1st at 7:00PM
Location: City Hall
4013 Providence Dr



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.
4181 Atlanta Street
Powder Springs GA 30127.
commdev@cityofpowdersprings.org
770-943-1666

Zoning Administrator
Shaun Myers
Planning and Zoning Manager
smyers@cityofpowdersprings.org
770-943-1666



Rezoning Request

Application Checklist

Applicant Information

Name	Phone
Mailing Address	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.



city of powder springs

Rezoning Request Application Form

Applicant Information

Name Vision Development & Construction Services, LLC Phone (770) 313-1996

Mailing Address 120 Interstate North Parkway, Suite 130, Atlanta, GA 30339 Email bhosch@visioninv.com

Rezoning Request Property Information

Address No Address-Brownsville Road and Hiram Litha Springs Road Parcel ID / Lot# 19104600270 Acreage 1.836 ac.

Present Zoning CRC Proposed Zoning CRC with Stipulations

Source of Water Supply Public Source of Sewage Disposal Public

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 Marietta (City), GA (State)

Brian S. Hasch Signature of Applicant Brian S. Hasch Printed Name 2/23/2026 Date

Subscribed and sworn before me this 23rd day of Feb month, 2026

Harrison Waldrip Signature of Notary Public Harrison Waldrip Name of Notary Public 7/15/2029 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

Owner's Authorization Form

Owner's Authorization

Applicant Name Vision Development & Construction Services, LLC **Applicant's Address** 120 Interstate North Parkway, Suite 130, Atlanta, GA 30339

Property Address No Address-Brownsville Road and Hiram Litha Springs Road, Powder Springs, GA **Property PIN** 19104600270

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)

Sally Lambert Manager **RXNOW, LLC** **2/20/2026**
 Signature of Owner Printed Name Date

State of Alabama, County of Madison

This instrument was acknowledged before me this 20th day of February

20 24, by Sally S. Lambert, Manager Identification Presented: Driver's License/Known

Suzanne D. Currie **Suzanne D. Currie** **06/26/2027**
 Signature of Notary Public Name of Notary Public My Commission Expires



Signature of Owner Printed Name Date

State of _____, County of _____

This instrument was acknowledged before me this _____ day of _____

20 _____ by _____ Identification Presented: _____

Signature of Notary Public Name of Notary Public My Commission Expires



CERTIFICATE REGARDING CORPORATE AUTHORITY- APPLICATION FOR REZONING

1.

My name is Sally S. Lambert. I am the officer who is delegated the responsibility for authenticating records of *RXNOW, LLC*, a Foreign Limited Liability Company (Titleholder Company). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant's Application for Rezoning regarding certain real property owned by the Titleholder Company located in the City of Powder Springs, Cobb County, Georgia.

2.

In accordance with the Requirements for completing a Powder Springs Application for Rezoning, I hereby attest on behalf of the Titleholder Company that an authorized representative of the Titleholder Company has reviewed the Application for Rezoning and related documents which are being filed simultaneously therewith on behalf of the Titleholder Company to which this Certificate is attached and hereby certify:

- (a) That corporate seal or facsimile affixed hereto is in fact the seal of the Titleholder Company or a true facsimile thereof; and
- (b) That the officer or other representative of the Titleholder Company who executed the Application for Rezoning does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Application for Rezoning on behalf of the Titleholder Company, and that the signature of said officer or other representative is genuine; and
- (c) That the execution of the Application for Rezoning and the filing of the Application for Rezoning on behalf of the Titleholder Company by the officer or other representative of the Applicant Company has been duly authorized by the Titleholder Company.

RXNOW, LLC

By: *Sally S. Lambert*

Print Name Sally S. Lambert

Its: Manager

(SEAL)



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

Applicant Information

Name JOEL L. LARKIN/Attorney for Applicant	Phone (770) 313-1996
Mailing Address 120 Interstate North Parkway, Suite 130, Atlanta, GA 30339	Email bhosch@visioninv.com

Notice of Intent

PART I. Please indicate the purpose of this application :

Rezoning the property in order to amend the previously approved site plan and to allow a daycare facility instead of the site plan specific pharmacy use approved in the previous rezoning in 2005.

PART II. Please list all requested variances:

Part III. Existing use of subject property:

Undeveloped.

Part IV. Proposed use of subject property:

10,000 square-foot, one-story daycare facility with playground.

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

The property was rezoned in 2005 to a site plan that indicated this parcel was to be a pharmacy. The property has remained undeveloped and the current proposal is to amend the site plan and stipulations to allow the Applicant to develop a daycare facility on this parcel substantially in accordance with the site plan and architectural renderings submitted by the Applicant.

Applicant Signature

Signature of Applicant	JOEL L. LARKIN/Attorney for Applicant Printed Name	 Date 2-24-2026
------------------------	---	---

NOTICE OF INTENT

1. **PART 1 Please indicate the purpose of this application:**

The Subject Property was one of three parcels rezoned to the CRC zoning district in 2005. At that time, the property was rezoned subject to a site plan that indicated the Subject Property was to be developed as a pharmacy, with a bank and a restaurant indicated on the two parcels located on either side of the subject parcel. Although the site was graded and all of the necessary infrastructure installed, including curb cuts, drive aisles, underground detention and the like, no buildings were ever constructed on the three properties. Despite continued marketing efforts, these properties have remained vacant for more than twenty years since they were rezoned. Applicant seeks to develop the center parcel with a 10,000 square-foot daycare facility instead of the previously approved pharmacy. To do so, Applicant requests that the prior rezoning be amended to substitute Applicants submitted site plan for the central tract and to replace the prior stipulation regarding architecture with a stipulation providing that the daycare facility will be developed substantially in accordance with the renderings that are being submitted as a part of this Application. Applicant further seeks such other revisions to the conditions of zoning as are identified and/or requested by the City's Professional Planning Staff.

2. **PART II Please list all requested variances:**

The Applicant is not aware of any variances that are required but requests that the City grant it any variances that the City's Professional Planning Staff identify on the site plan that is being submitted by the Applicant.

3. **PART III Existing use of the subject property:**

The property is an undeveloped building pad site that was initially developed for a Walgreens Pharmacy that was never built.

4. **PART IV Proposed use of subject property:**

Applicant intends to develop the property with a 10,000 square-foot daycare facility.

5. **PART V Other Pertinent Information:**

The proposed development will provide daycare for the immediate area. The proposed use of the property for a daycare is consistent with the City's planning documents and with the existing uses and zonings in and around the Property. This proposed use will be less intense than other commercial retail businesses that could be allowed under the CRC zoning district.

Based upon the foregoing reasons, the Applicant respectfully requests that the Application for Rezoning be approved to allow development of the proposed daycare facility substantially in accordance with the site plan and architectural renderings that are being submitted as a part of this Application. Applicant welcomes any comments from City's Professional Planning Staff or other officials of the City of Powder Springs so that such recommendations or input may be incorporated as conditions of approval of these Applications.

Respectfully submitted, this the 24th day of February 2026.

SAMS, LARKIN, & HUFF, LLP

By: 

JOEL L. LARKIN

Attorney for Applicant

Georgia Bar No. 438415



Rezoning Request

Applicant's Written Analysis

Applicant Information

Name **JOEL L. LARKIN/Attorney for Applicant** Phone **(770) 313-1996**

Mailing Address **120 Interstate North Parkway, Suite 130, Atlanta, GA 30339** Email **bhosch@visioninv.com**

Written Analysis

 In details please address these Rezoning Criteria: **SEE ATTACHED ANALYSIS**

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.

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 _____ Printed Name **JOEL L. LARKIN/Attorney for Applicant** Date **2.24.2024**

**STATE OF GEORGIA
CITY OF POWDER SPRINGS**

ZONING ANALYSIS

**Vision Development & Construction Services, LLC – Application for
Change in Previously Approved Conditions of PZ2005-1**

- 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.**

The Subject Property is located in the City of Powder Springs as is noted as being in the NAC land use category on the City’s Future Land Use Map (“FLUM”). The City of Powder Springs FLUM indicates nearby properties in the City of Powder Springs along this section of the Brownsville Road and Hiram Lithia Springs Road are delineated as being in the NAC land use categories. The proposed changes to the previously approved CRC zoning district and the proposed use contained and embodied within the Application will allow the Subject Property to be developed on a tract of land that is one of three undeveloped properties previously rezoned together in 2005. Applicant’s proposed changes to the site plan and adopted stipulations relating to the 2005 rezoning are consistent with the prior rezoning and the applicable land use plan and map.

- 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.**

The zoning proposal will permit a use of the property that is suitable in the context of development and existing zonings which are in direct contiguity or adjacent to the Subject Property that had originally been approved for the CRC zoning district. This proposal is to amend the previously approved site plan and stipulations to allow the parcel to be developed for a daycare facility that was originally approved for a pharmacy between a proposed restaurant and a proposed bank, none of which have been developed.

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

The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the preponderance of which are commercially zoned in the City of Powder Springs and residential in Cobb County. Nearby properties within the City of Powder Springs have varying commercial uses.

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

The previously approved site plan had indicated the parcel would be developed for a Walgreens pharmacy. Economic conditions are no longer conducive to development of the Subject Property in that manner. The current proposal will instead allow the development of a 10,000 square-foot daycare facility, which is also allowed under the CRC zoning district. All of the three parcels that were part of the previous rezoning in 2005 remain undeveloped with the exception of the private driveway connecting to Hiram Lithia Springs Road and Brownsville Road.

- 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.**

The zoning proposal will have no adverse impact upon the existing infrastructure including, but not limited to, existing streets, fire and police protection, transportation facilities, utilities or schools.

- 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.**

From a land use and zoning standpoint, the proposed use of the Subject Property is entirely consistent with the prior rezoning of the Subject Property. Applicant seeks only to revise the approved site plan and other conditions of zoning that were specific to the proposed use of the Property as a Walgreens Pharmacy.

- g. Whether the proposed zoning district of CRC 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.**

The proposed changes to the previously approved site plan and zoning conditions are substantially similar to the prior approvals and strike a similar balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property. The effect of the changes on the public will be negligible.

Respectfully submitted, this the 24th day of February 2026.

SAMS, LARKIN, & HUFF, LLP

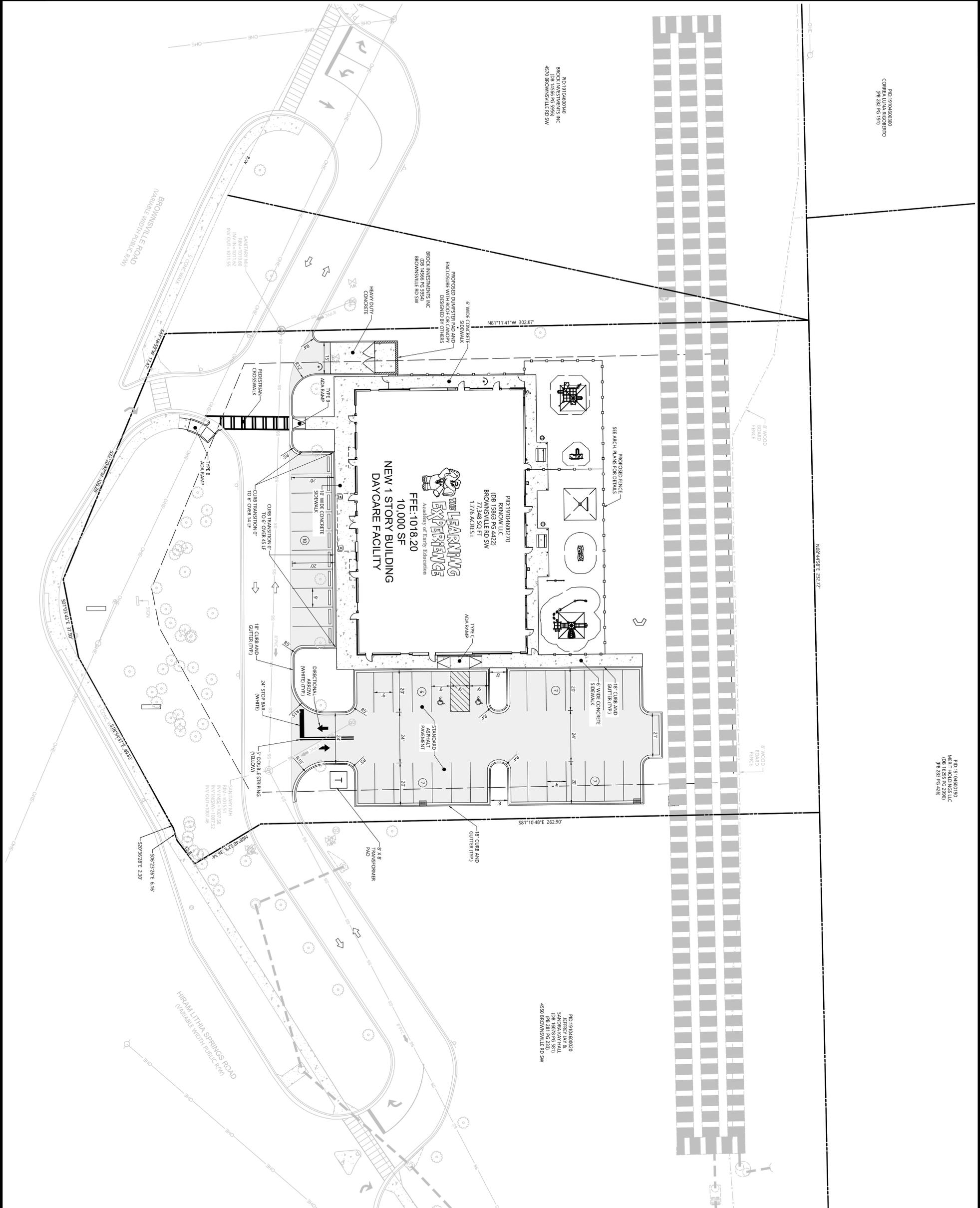
By: 

JOEL L. LARKIN

Attorney for Applicant

Georgia Bar No. 438415

376 Powder Springs Street, Suite 100
Marietta, GA 30064
(770) 422-7016



PROJ:19104600190
CORREA LUNA ROBERTO
(98 282 PG 191)

PROJ:19104600190
MERITT HOLDINGS LLC
(DB 1529 PG 4290)
(PG 4291 PG 4292)

PROJ:19104600200
JEFFREY LAY &
SANDRA LAY HALL
(DB 581 PG 5281)
(DB 582 PG 5282)
4550 BROWNSVILLE RD SW

PROJ:19104600140
BROCK INVESTMENTS INC
(DB 1456 PG 3556)
4570 BROWNSVILLE RD SW

BROCK INVESTMENTS INC
(DB 1456 PG 3554)
BROWNSVILLE RD SW

THE LEARNING EXPERIENCE
Academy of Early Education
NEW 1 STORY BUILDING
DAYCARE FACILITY
FFE: 1018.20
10,000 SF
77,348 SQ FT
1,776 ACRES ±

PROJ:19104600200
JEFFREY LAY &
SANDRA LAY HALL
(DB 581 PG 5281)
(DB 582 PG 5282)
4550 BROWNSVILLE RD SW

SITE LEGEND

- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- 18" CURB AND GUTTER
- 24" CURB AND GUTTER
- CROSS WALK
- STOP BAR (PAVEMENT MARKING)
- TRAFFIC FLOW ARROW (PAVEMENT MARKING)
- DIRECTIONAL ARROWS (PAVEMENT MARKING)
- HANDICAP STALL
- CONCRETE WHEEL STOP
- PARKING SPACE COUNT
- SIGN
- LIGHT POLE
- TRANSFORMER PAD
- CONCRETE
- STANDARD DUTY PAVING
- HEAVY DUTY PAVING

SITE AREA	
TOTAL PROPERTY AREA	1,776 AC (77,348 SQ FT)
DISTURBED AREA	0.294 AC (12,746 SQ FT)
IMPERVIOUS PROPOSED	0.251 AC (10,940 SQ FT)
PENVIOUS PROPOSED	0.043 AC (1,846 SQ FT)
ZONING CLASSIFICATION	
JURISDICTION	CITY OF POWDER SPRINGS
IMPERVIOUS COVERAGE	MAX 75%
BUILDING SETBACKS	
FRONT	40'
REAR	40'
SIDE	15'
BUILDING SUMMARY	
PROPOSED BUILDING AREA	10,000 SF
TOTAL MIN. PARKING REQ.	1 PER 300 SF (34 SPACES)
TOTAL MAX. PARKING REQ.	1 PER 200 SF (50 SPACES)
PARKING PROVIDED	37 SPACES (2 ADA)

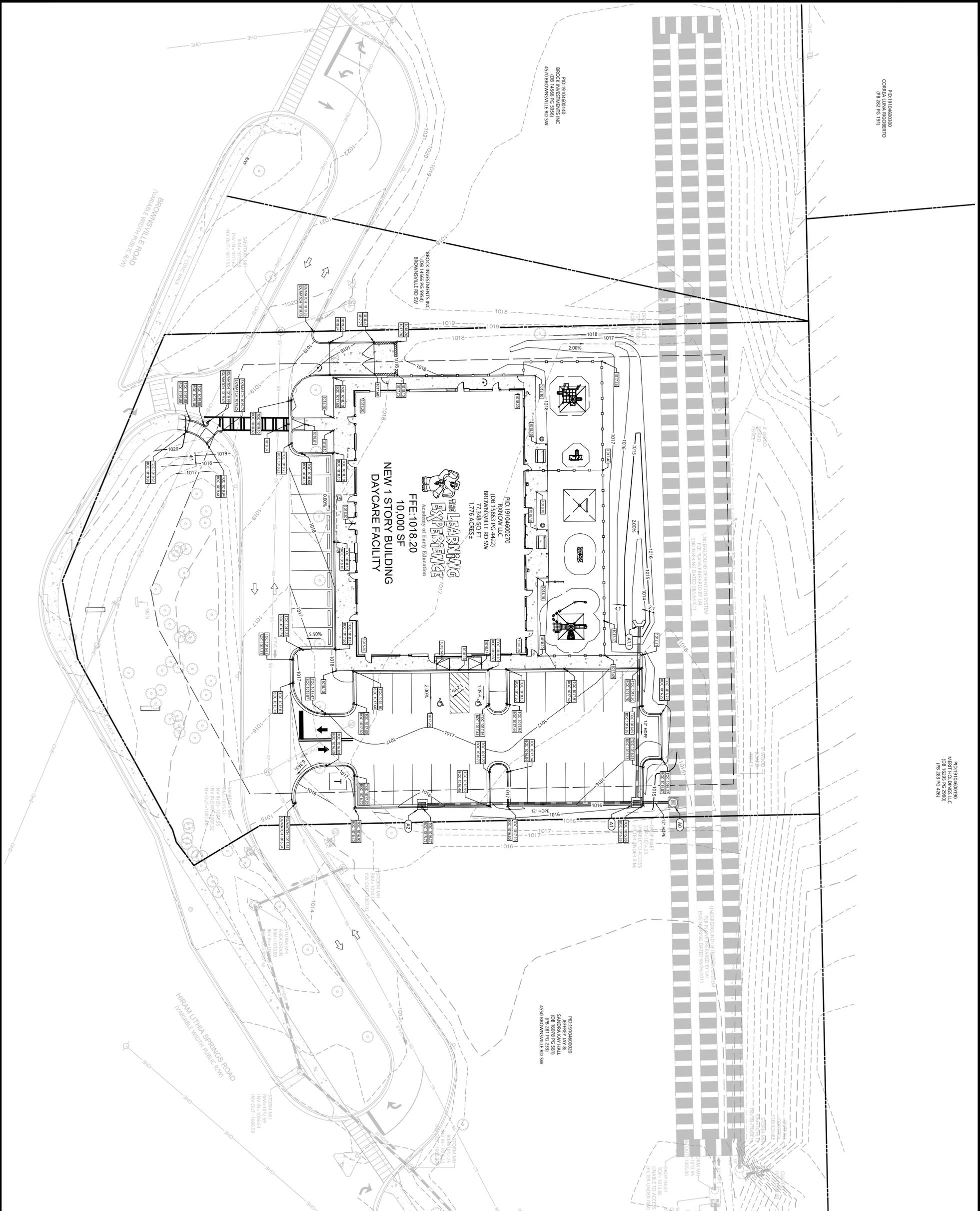
SITE DEVELOPMENT PLANS
TLE - BROWNSVILLE ROAD
VISION DEVELOPMENT
SITE PLAN

ATWELL
866.850.4200 www.atwell.com
1850 PARKWAY PLACE, SUITE 650
MARIETTA, GA
770.423.0800
COAF PFT005804

PROJECT ADDRESS
4550 BROWNSVILLE RD
POWDER SPRINGS, GA
30127
24 HOUR EMERGENCY CONTACT
NAME
PHONE

REV	DATE	PLAN REVISIONS

PROJECT NO. 25009062
PROJECT DATE 02-13-2026
SHEET NO. C200



PID:19104600190
CORREA LUNA RIGORBERTO
(P# 282 PG 191)

PID:19104600190
MERT HOLDINGS LLC
(DB 553 PG 2580)
(P# 281 PG 4459)

PID:19104600000
JEFFREY JAY &
SANDRA KAY HALL
(DB 281 PG 2381)
4550 BROWNSVILLE RD SW

PID:19104600270
RINKOW LLC
(DB 15863 PG 4422)
BROWNSVILLE RD SW
77,348 SQ. FT.
1.776 ACRES

PID:19104600000
JEFFREY JAY &
SANDRA KAY HALL
(DB 281 PG 2381)
4550 BROWNSVILLE RD SW

GRADING LEGEND

- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- - - EXISTING MINOR CONTOURS
- - - EXISTING MAJOR CONTOURS
- - - EXISTING MINOR CONTOUR
- - - PROPOSED MAJOR CONTOUR
- - - EXISTING STORM LINE
- - - PROPOSED STORM LINE

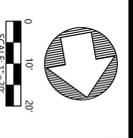
- ▲ 12" HDPE PROPOSED SPOT ELEV
- ▲ 2% SLOPE ARROW
- GATE INLET
- STORM MANHOLE
- DOUBLE WING CATCH BASIN
- SINGLE WING CATCH BASIN
- AREA INLET
- OUTLET CONTROL STRUCTURE
- HEADWALL
- SANITARY SEWER MANHOLE

REV	DATE	PLAN REVISIONS

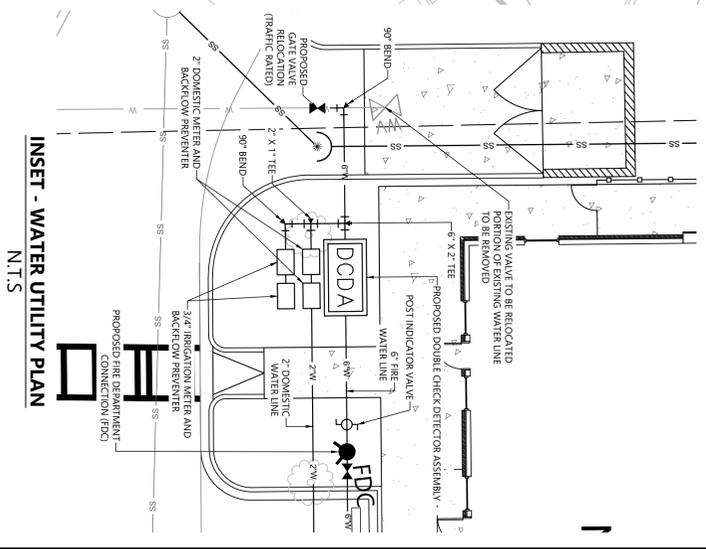
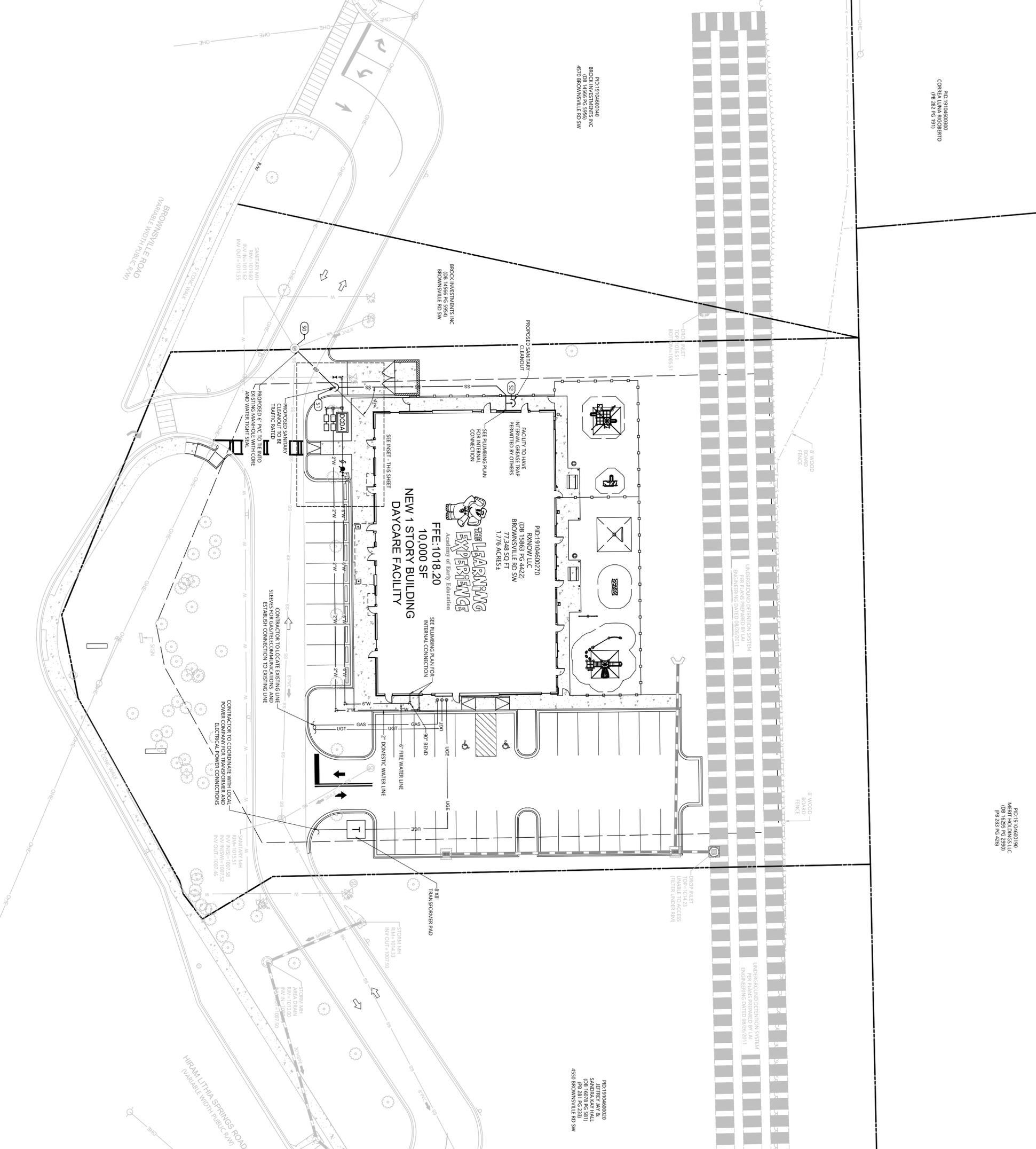
SITE DEVELOPMENT PLANS
TLE - BROWNSVILLE ROAD
VISION DEVELOPMENT
GRADE PLAN

PROJECT ADDRESS
4550 BROWNSVILLE RD
POWDER SPRINGS, GA
30127
24 HOUR
EMERGENCY CONTACT
NAME
PHONE

ATWELL
866.850.4200 www.atwell.com
1850 PARKWAY PLACE, SUITE 650
MARIETTA, GA
770.423.0800
L.A. #00000000
CO.# PFT005804



PROJECT NO. 23009062
PROJECT DATE 02-13-2026
SHEET NO. C300



UTILITY LEGEND	
---	EXISTING PROPERTY LINE
---	EXISTING RIGHT-OF-WAY
---	EXISTING SETBACK LINE
---	PROPOSED RIGHT-OF-WAY
---	PROPOSED SETBACK LINE
---	100 YEAR FLOOD PLAIN
---	CABLE LINE
---	ELECTRIC OVERHEAD LINE
---	ELECTRIC UNDERGROUND LINE
---	GAS LINE
---	SEWER LINE
---	SEWER FORCE MAIN - 4" SIZE
---	TELEPHONE OVERHEAD LINE
---	TELEPHONE UNDERGROUND LINE
---	DOMESTIC WATER LINE - 4" SIZE
---	FIRE WATER LINE - 4" SIZE
---	SEWER SERVICE (DOUBLE SERVICE)
---	SEWER SERVICE (SINGLE SERVICE)
---	SEWER SERVICE CLEAN OUT
---	POST INDICATOR VALVE
---	WATER SERVICE (DOUBLE SERVICE)
---	WATER SERVICE (SINGLE SERVICE)
---	WATER METER
---	WATER BEND 45°
---	WATER BEND 225°
---	WATER BEND 1125°
---	WATER TEE
---	GATE VALVE
---	DOUBLE DETECTOR CHECK VALVE ASSEMBLY
---	FIRE HYDRANT
---	FIRE DEPARTMENT CONNECTION
---	GREASE TRAP
---	ELECTRICAL TRANSFORMER
---	LIGHTING FIXTURE

INSET - WATER UTILITY PLAN
N.T.S.

REV	DATE	PLAN REVISIONS

SITE DEVELOPMENT PLANS
TLE - BROWNSVILLE ROAD
VISION DEVELOPMENT
UTILITY PLAN

PROJECT ADDRESS
4550 BROWNSVILLE RD
POWDER SPRINGS GA
30127
EMERGENCY CONTACT
NAME
PHONE

ATWELL
866.850.4200
www.atwell.com
1850 PARKWAY PLACE, SUITE 650
MARIETTA, GA
770.423.0802
L.A. #10000000
CO.# PFT005804

PROJECT NO. 25009062
PROJECT DATE 02-13-2026
SHEET NO. C400



CHERRY LN

6038 19102700120

19104600200

6061 19104600010

19104600190

4512 19104600020

19104600270

132395

19104600140

4512 19104600020

4570

4481 19104600250

4410 19102700240

19104600080

BROWNSVILLE RD

4511

HIRAM LITHIA SPRINGS RD

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19104600070

4575

4630 19104600230

4511 19104600280

4301

200

19104600120

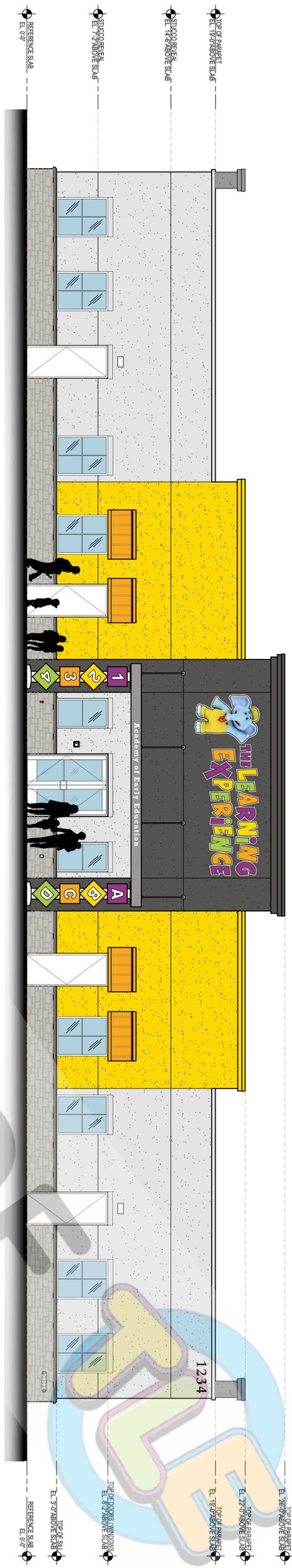
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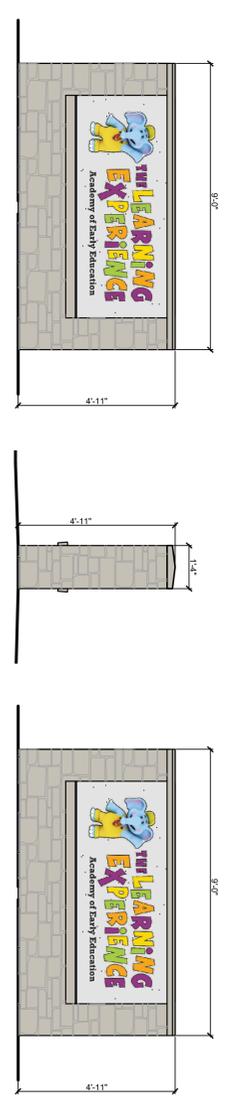


WEST ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

EXTERIOR MATERIAL SCHEDULE		
LABEL	MANUFACTURER	FINISH/COLOR
STOREFRONT	KAWNEER	BONE WHITE
DOOR	-	FACTORY FINISH
FIXED WINDOW	-	FINISH PAINT COLOR: WHITE
STONE	PLY GEM	WHITE
SILL	QUARRY MILL	COLUMBIAN CLASSIC GREY
EIFS-1	MODERN PRECAST	COLORED SANDS STONE
EIFS-2	DRYVIT	REGULAR (LIGHT GREY)
EIFS-3	DRYVIT	SAND PERBLE FINISH
EIFS-4	DRYVIT	SAND PERBLE FINISH
AWNING	-	COLOR: SW 7071, GRAY SCREEN
CANOPY	-	COLOR: SW 8911, CONFIDENT YELLOW
CORING	FABRAL (OR EQUAL)	SHERWIN WILLIAMS POWDURA
	BREAK METAL	COLOR: P759-0000, GOLDEN CORN
		CLEAR ANODIZED
		TO MATCH ADJACENT



TWO-SIDED MONUMENT
SCALE: 3/8" = 1'-0"

COMPANY NAME AND LOGO

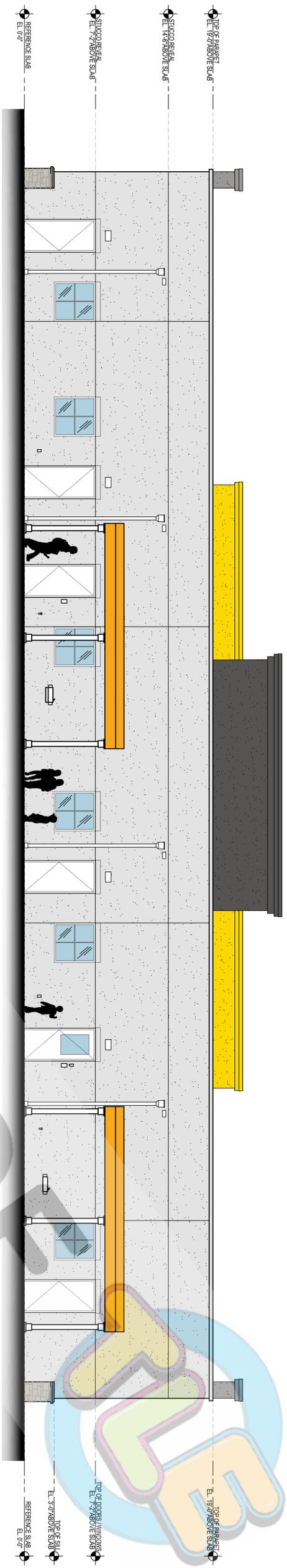
STREET ADDRESS
CITY, STATE ZIP CODE
TLE SITE ID:



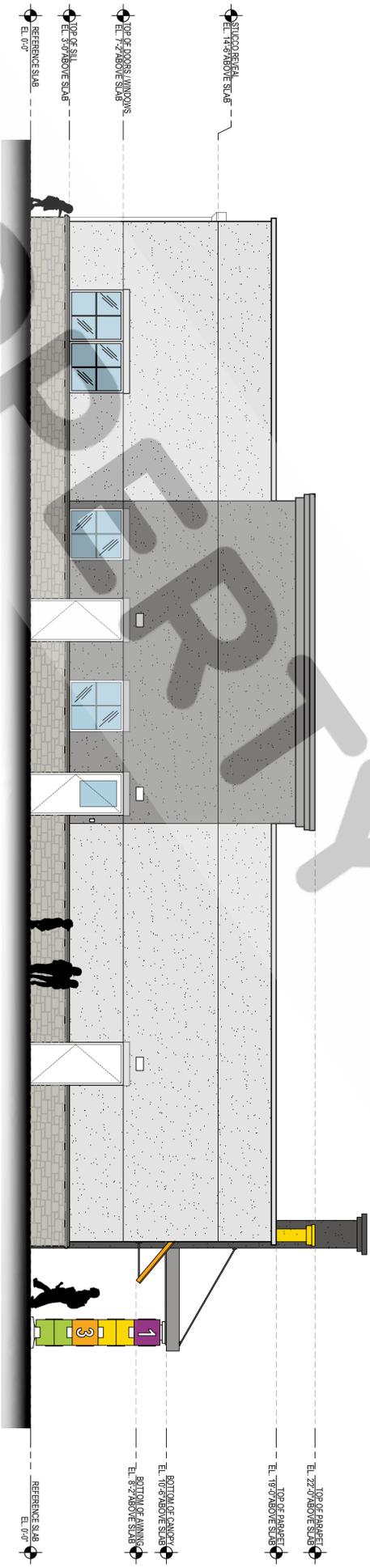
ISSUE			REVISION		
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
01	05-03-24	PROTOTYPE UPDATE	02	06-17-24	DESIGN DIRECTIVE #014
			03	08-12-24	DESIGN DIRECTIVE #015
			04	08-22-24	DESIGN DIRECTIVE #016
			05	09-17-24	DESIGN DIRECTIVE #017

PROJECT NUMBER
DRAWN BY
APPROVED BY
PROFESSIONAL CERTIFICATION

A-001
EXTERIOR ELEVATIONS

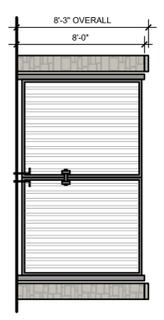
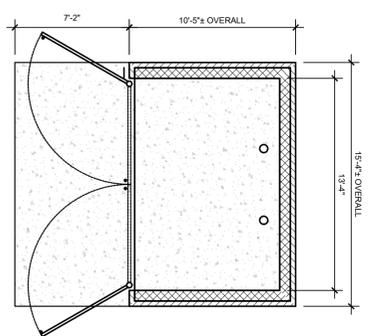


EAST ELEVATION
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"

EXTERIOR MATERIAL SCHEDULE		
LABEL	MANUFACTURER	FINISH/COLOR
STOREFRONT	KAWNEER	BONE WHITE
DOOR	-	FACTORY RIGNED
FIXED WINDOW	PLY GEM	SILVER LINE V1 SERIES
STONE	QUARRY MILL	STONE VENEER
SILL	MODERN PRECAST	3 1/4" X 6 1/2" WITH 2" FLAT WITH 1/4" DRIP EDGE
EIFS-1	DRYVIT	SAND PEBBLE FINISH
EIFS-2	DRYVIT	COLOR: SW 7075; WEB GRAY
EIFS-3	DRYVIT	SAND PEBBLE FINISH
EIFS-4	DRYVIT	COLOR: SW 7071; GRAY SCREEN
AWNING	-	SHERWIN WILLIAMS POWDERA
CANOPY	-	COLOR: P759-0000; GOLDEN CORN
CORING	FABRAL (OR EQUAL)	CLEAR ANODIZED
	BREAK METAL	TO MATCH ADJACENT



DUMPSTER ENCLOSURE
SCALE: 3/16" = 1'-0"

COMPANY NAME AND LOGO

STREET ADDRESS
CITY, STATE ZIP CODE
TLE SITE ID:



ISSUE			REVISION		
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
01	05-03-24	PROTOTYPE UPDATE	02	06-17-24	DESIGN DIRECTIVE #014
			03	08-12-24	DESIGN DIRECTIVE #015
			04	08-22-24	DESIGN DIRECTIVE #016
			05	09-17-24	DESIGN DIRECTIVE #017

PROJECT NUMBER
DRAWN BY
CHECKED BY
APPROVED BY

PROFESSIONAL CERTIFICATION

EXTERIOR ELEVATIONS

A-002



Rezoning Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name

Applicant's Address

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:

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
<hr/>	<hr/>	<hr/>

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
<hr/>	<hr/>	<hr/>



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, 20,0001 - 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, =/> 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, =/> 500,001 SF	\$ 2,200.00 + \$115 /100,000 SF
Public Hearing signs	\$ 25.00
Public Hearing signs - Deposit	\$ 10.00

TO THE CITY OF POWDER SPRINGS

COBB COUNTY, GEORGIA

CONSTITUTIONAL CHALLENGE

COMES NOW, VISION DEVELOPMENT & CONSTRUCTION SERVICES, LLC, hereinafter referred to as the "Applicant", and asserts the following, to wit:

1.

By application to which this exhibit relates, the Applicant has applied to modify the conditions of zoning for certain real property lying and being within the City of Powder Springs, Cobb County, Georgia, a more particular description and delineation of the subject property, hereinafter referred to as the "Property", being set forth in said Application.

2.

The Application for Rezoning of the property seeks modifications of conditions of zoning applicable to a prior rezoning to the existing category of CRC, as established by the governing authority of Powder Springs, Georgia. More specifically, Applicant seeks to modify the site plan, architecture and any other conditions of the prior rezoning which prevent the Applicant from making its intended use of the Property.

3.

Particularly given that Applicant's intended use of the property is a permitted use in CRC, any zoning stipulations or other requirements that preclude Applicant from making its intended use of the Subject Property are unconstitutional in that they deprive the Applicant under and pursuant to Article 1, Section I, Paragraphs I and II of the Georgia Constitution of 1983 and the Equal Protection and Due Process clauses of the Fifth and Fourteenth Amendments to the

Constitution of the United States. This deprivation of property without due process violates constitutional prohibitions against the taking of private property without just compensation.

4.

Any stipulations or requirements that prevent Applicant from making its intended use of the Subject Property are further unconstitutional in that they do not bear a substantial relation to the public health, safety, morality or general welfare and are, therefore, confiscatory and void. Further, said stipulations and restrictions are unconstitutional in that they are arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

5.

The City of Powder Springs' Unified Development Code is further unconstitutional in that the procedures contained therein pertaining to the public hearings held in connection with zoning applications also violates the aforementioned constitutional provisions in that said procedures contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issues at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law.

Respectfully submitted, this the 24th day of February 2026.

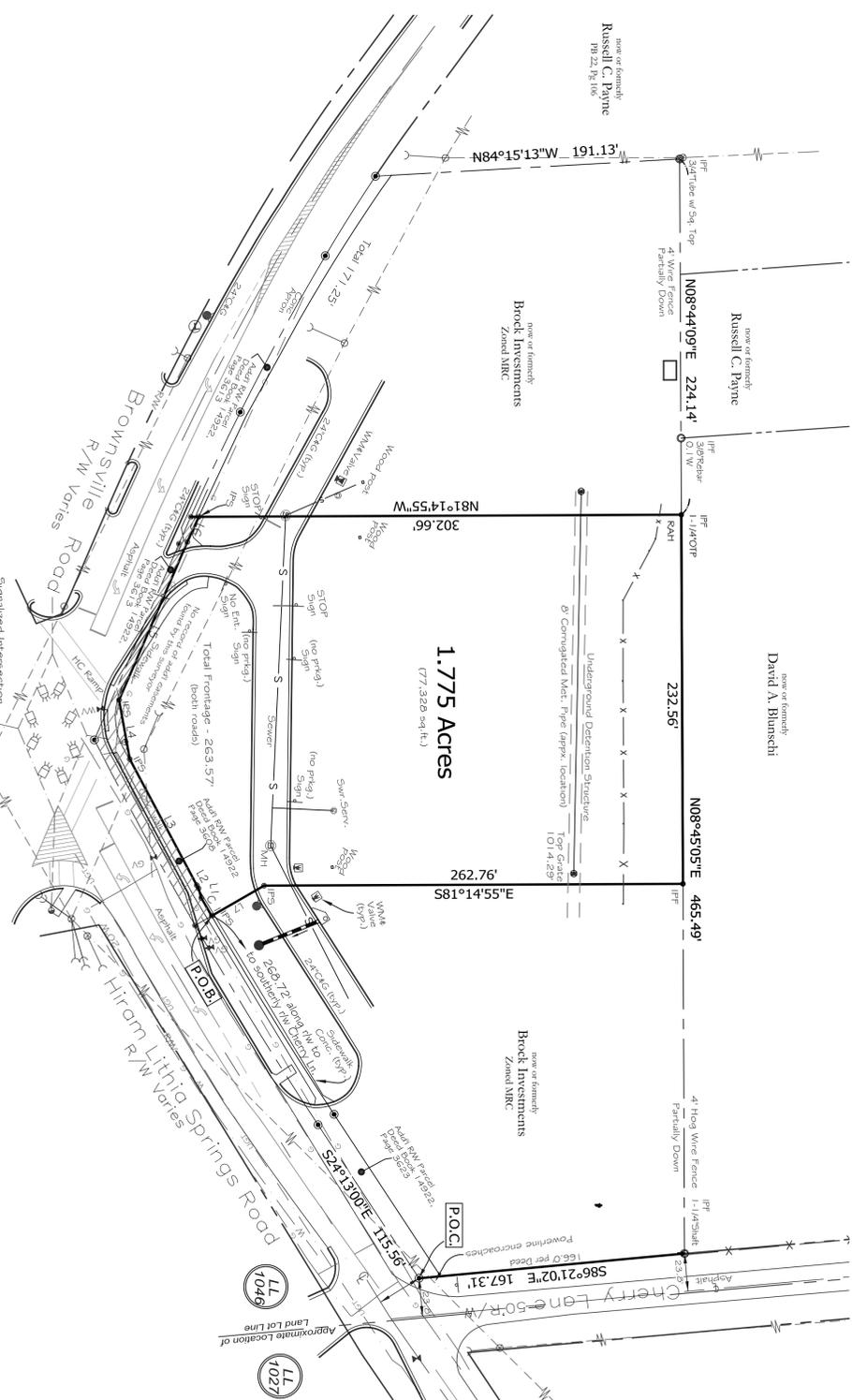
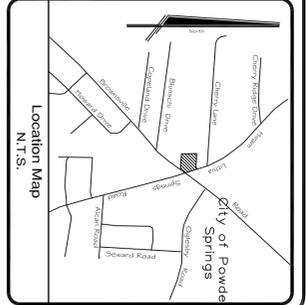
SAMS, LARKIN & HUFF, LLP

By: 

JOEL L. LARKIN
Attorney for Applicant
Ga. Bar No. 438415

Title Report Notes

1. Deed Book 14621, recorded January 15, 2015, Schedule B, Section 2 Special Easements, (Items through 4 are either not formally addressed by a property survey)
2. The permanent 279 square feet drainage easement from F. C. Long to Cobb County, Georgia, dated July 30, 1997, recorded at Deed Book 10606, Page 397, Cobb County, Georgia records formerly affected subject property but the former easement parcel is now contained inside the road right of way.
3. Reciprocal Easement Agreement with Covenants, Conditions and Restrictions between Cedarcrest LLC and Walgreen Co., and recorded August 15, 2006 in Deed Book 14373 pages 4492 through 4513, aforesaid records, affects subject property. Provisions are essentially buried in nature and are not particularly pertinent to the subject property.
4. Reciprocal Easement Agreement with Covenants, Conditions and Restrictions between Cedarcrest LLC and Walgreen Co., and recorded August 15, 2006 in Deed Book 14373 pages 4492 through 4513, aforesaid records, affects subject property. Provisions are essentially buried in nature and are not particularly pertinent to the subject property.
5. The Right of Way Deed from Walgreen Co. to Cobb County Department of Transportation, recorded in Deed Book 14621, page 1819, aforesaid records may or may not affect subject property. No supporting documents were provided.
6. The Right of Way Deed from Walgreen Co., to Cobb County Department of Transportation dated January 31, 2012, filed February 27, 2012, recorded in Deed Book 14922, Page 3618 aforesaid records affects subject property in that the instrument conveys additional road right of way. The instrument does not appear to convey additional easement or other additional rights beyond fee simple ownership of the additional road right of way (shown on survey)
7. The Right of Way Deed from Walgreen Co. to Cobb County Department of Transportation dated January 31, 2012, filed February 27, 2012, recorded in Deed Book 14922, Page 3608 aforesaid records affects subject property in that the instrument conveys additional road right of way. The instrument does not appear to convey additional easement or other rights beyond fee simple ownership of the additional road right of way (shown on survey)
8. The Right of Way Deed from Walgreen Co., to Cobb County Department of Transportation dated January 31, 2012, filed February 27, 2012, recorded in Deed Book 14922, Page 3615 aforesaid records affects subject property in that the instrument conveys additional road right of way. The instrument does not appear to convey additional easement or other rights beyond fee simple ownership of the additional road right of way (shown on survey)
9. Maintenance Agreement for Detention Ponds, between Walgreen Co., and the City of Powder Springs, dated January 31, 2012, filed February 18, 2014, recorded in Deed Book 15138, page 4897, aforesaid records, affects subject in that the property owner(s) are obligated to maintain the drainage and detention system as long as the system exists.



Curve	Radius	Length	Chord	Chord Bear.
C1	2523.64'	13.10'	13.10'	S 20°43'50\" E

Course	Bearing	Distance
L1	S 07°14'33\" E	6.24'
L2	S 20°30'43\" E	2.30'
L3	S 18°51'25\" E	89.78'
L4	S 07°13'55\" E	37.86'
L5	S 32°40'28\" W	129.26'
L7	N 69°55'43\" E	38.00'

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 1046 of the 19th District 2nd Section, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at the point at the intersection of the southerly right-of-way of Cherry Lane (60' R/W) and the westerly right-of-way of Hiram Lithia Springs Road (100' R/W) and proceeding South 07 degrees 14 minutes 33 seconds East for 6.24 feet to a point;

Then South 20 degrees 30 minutes 43 seconds East for 2.30 feet to a point;

Then South 18 degrees 51 minutes 25 seconds East for 89.78 feet to a point;

Then South 07 degrees 13 minutes 55 seconds East for 37.86 feet to a point;

Then South 32 degrees 40 minutes 28 seconds West for 129.26 feet to a point;

Then South 33 degrees 30 minutes 53 seconds West for 17.24 feet to a point;

Then leaving the right of way of Brownsville Road, proceed North 81 degrees 14 minutes 55 seconds West for 302.66 feet to a 1-1/4 inch pipe found;

Then South 08 degrees 45 minutes 05 seconds East for 292.56 feet to a 1/2 inch rebar found;

Then South 81 degrees 14 minutes 55 seconds East for 282.76 feet to a point;

Then North 68 degrees 55 minutes 43 seconds East for 38.00 feet to the westerly right of way of Hiram-Lithia Springs, said point being the POINT OF BEGINNING.

Then continue along the variable width rights of way of Hiram-Lithia Springs Road and Brownsville Road the following courses:

Along a curve to the right arc distance of 13.10 feet, said arc having a radius of 2523.64 feet, bearing South 20 degrees 43 minutes 50 seconds East for 13.10 feet to a point;

Then South 07 degrees 14 minutes 33 seconds East for 6.24 feet to a point;

Then South 20 degrees 30 minutes 43 seconds East for 2.30 feet to a point;

Then South 18 degrees 51 minutes 25 seconds East for 89.78 feet to a point;

Then South 07 degrees 13 minutes 55 seconds East for 37.86 feet to a point;

Then South 32 degrees 40 minutes 28 seconds West for 129.26 feet to a point;

Then South 33 degrees 30 minutes 53 seconds West for 17.24 feet to a point;

Then leaving the right of way of Brownsville Road, proceed North 81 degrees 14 minutes 55 seconds West for 302.66 feet to a 1-1/4 inch pipe found;

Then South 08 degrees 45 minutes 05 seconds East for 292.56 feet to a 1/2 inch rebar found;

Then South 81 degrees 14 minutes 55 seconds East for 282.76 feet to a point;

Then North 68 degrees 55 minutes 43 seconds East for 38.00 feet to the westerly right of way of Hiram-Lithia Springs, said point being the POINT OF BEGINNING.

NOTE: Information regarding the exacted presence, size, character, and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be questioned. The owner and/or contractor shall verify the location and depth of all existing underground utilities and structures. The engineer / surveyor is not responsible for the correctness or sufficiency of this information.

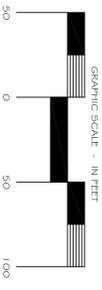
NO.	DATE	REVISION	BY
1.	7/13/15	Zoning, amendment, title block	rp
2.	7/15/15	title block entries	rp

SURVEY NOTES

1. Total Site Area = 1.775 acres (77,328 sq.ft.)
2. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 364,260 feet; ORCON-GTS-8003 Robotic Total Station for angle and distance measurements.
- The field data upon which this map or plat is based has a closure precision of one (1) foot in 20,405 feet and an average angular error of 77 seconds per angle point, and was adjusted using Least Squares
3. This property does not lie within a 100-year flood hazard zone as defined by the F.E.M.A. Insurance Rate Map of Cobb County, Georgia, Community Flood Number 13067C0065 F, dated Aug. 18, 1992.
4. For the zoning verification refer dated July 10, 2015 from the (Community Retail Commercial.) This property was rezoned to CR-C on January 18, 2005. This property was also amended into the City of Powder Spring during the January 18, 2005 regular meeting of the City Council of Powder Springs.

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This drawing and its reproduction are the property of the surveyor and may not be reproduced, published or used in any way without the written permission of this surveyor.



- LEGEND**
- AE ACCESS EASEMENT
 - BC BACK OF CURB
 - BLD BUILDING
 - CE CENTER LINE
 - CP COMPUTER POINT
 - C/P CRIMPED TOP PIPE
 - DE DRAINAGE EASEMENT
 - DE DOUBLE DRIP INLET
 - DE DOUBLE DRIP MANHOLE
 - EH EDGE OF ASPHALT
 - FH FIRE HYDRANT
 - GM GAS METER
 - GW GAS VALVE
 - HW HEADWALL
 - IPS IRON PIN SET (1/2\"/>

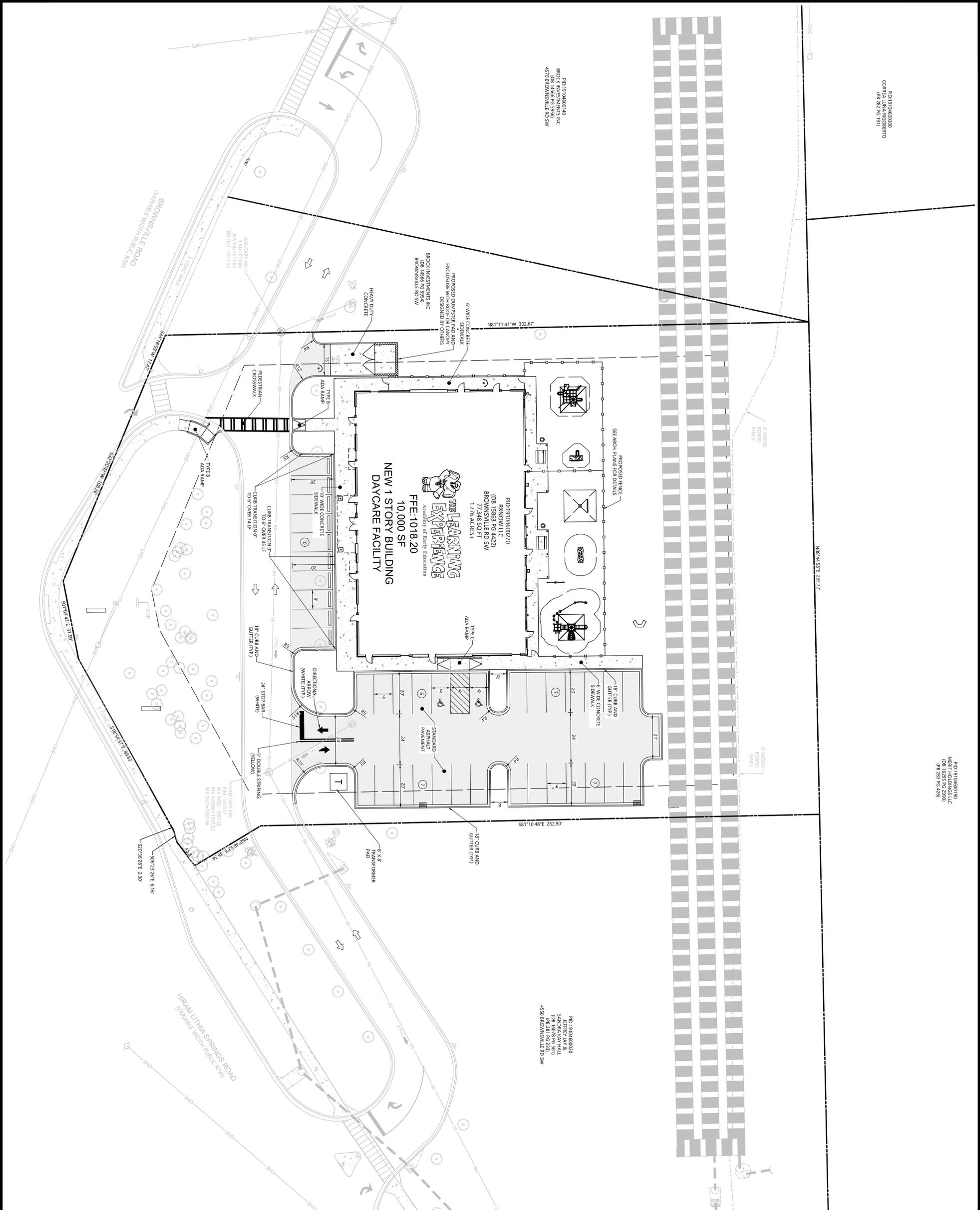
Boundary Title Survey For:
LV Lending, LLC;
Walgreen Co.;
Chicago Title

Insurance Company, and CP WAGS South, LLC

Located in the City of Powder Springs
 Land Lot 1046 19th District
 2nd Section

Cobb County, Georgia
 Date: March 12, 2015

Prepared By
BENTLEY-CRATON GROUP
LAND PLANNERS • SURVEYORS
 637 Elliott Rd
 Temple, Georgia 30179
 Phone : 770-443-0443 or 770-459-0501



PROJ:19104600190
CORREA LUNA ROBERTO
(98 282 PG 191)

PROJ:19104600190
MERRIT HOLDINGS LLC
(DB 1529 PG 4290)
(98 282 PG 4291)

PROJ:19104600200
JEFFREY LAY &
SANDRA LAY HALL
(DB 581 PG 5281)
4550 BROWNSVILLE RD SW

PROJ:19104600190
BROCK INVESTMENTS INC
(DB 1456 PG 3556)
4570 BROWNSVILLE RD SW

PROPOSED DUMPSTER PAD AND
ENCLOSURE WITH ROOF OR CANOPY
DESIGNED BY OTHERS
BROCK INVESTMENTS INC
(DB 1456 PG 3554)
BROWNSVILLE RD SW

**THE LEARNING
EXPERIENCE**
Academy of Early Education
**NEW 1 STORY BUILDING
DAYCARE FACILITY**
FFE: 1018.20
10,000 SF
77,348 SQ FT
1,776 ACRES ±

PROJ:19104600200
RHXNOW LLC
(DB 1586 PG 4422)
BROWNSVILLE RD SW
77,348 SQ FT
1,776 ACRES ±

PROJ:19104600200
JEFFREY LAY &
SANDRA LAY HALL
(DB 581 PG 5281)
4550 BROWNSVILLE RD SW

SITE LEGEND

- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- 18" CURB AND GUTTER
- 24" CURB AND GUTTER
- CROSS WALK
- STOP BAR (PAVEMENT MARKING)
- TRAFFIC FLOW ARROW (PAVEMENT MARKING)
- DIRECTIONAL ARROWS (PAVEMENT MARKING)
- HANDICAP STALL
- CONCRETE WHEEL STOP
- PARKING SPACE COUNT
- SIGN
- LIGHT POLE
- TRANSFORMER PAD
- CONCRETE
- STANDARD DUTY PAVING
- HEAVY DUTY PAVING

SITE AREA	
TOTAL PROPERTY AREA	1,776 AC (77,348.565 SQ FT)
DISTURBED AREA	0.294 AC (12,746.545 SQ FT)
IMPERVIOUS PROPOSED	0.251 AC (10,942.015 SQ FT)
PENVIOUS PROPOSED	0.043 AC (1,854.530 SQ FT)
ZONING CLASSIFICATION	
JURISDICTION	CITY OF POWDER SPRINGS
IMPERVIOUS COVERAGE	MAX 75%
BUILDING SETBACKS	
FRONT	40'
REAR	40'
SIDE	15'
BUILDING SUMMARY	
PROPOSED BUILDING AREA	10,000 SF
TOTAL MIN. PARKING REQ.	1,788 (300 SF (34 SPACES))
TOTAL MAX. PARKING REQ.	1,788 (200 SF (50 SPACES))
PARKING PROVIDED	37 SPACES (2 ADA)

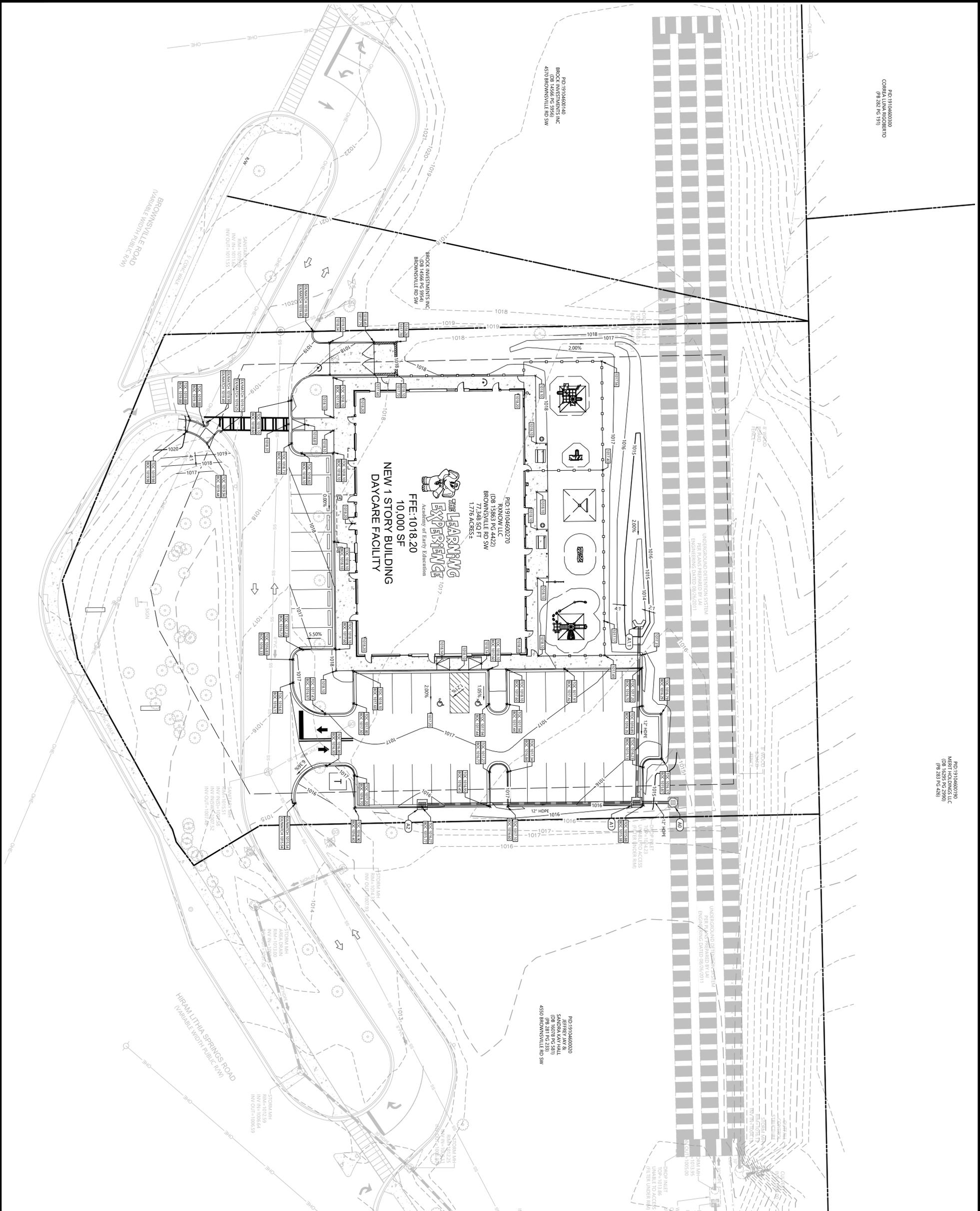
SITE DEVELOPMENT PLANS
TLE - BROWNSVILLE ROAD
VISION DEVELOPMENT
SITE PLAN

ATWELL
866.850.4200 www.atwell.com
1850 PARKWAY PLACE, SUITE 650
MARIETTA, GA
770.423.0800
COAF: PFT005804

PROJECT ADDRESS
4550 BROWNSVILLE RD
POWDER SPRINGS, GA
30127
**24 HOUR
EMERGENCY CONTACT**
NAME
PHONE

REV	DATE	PLAN REVISIONS

PROJECT NO. 25009062
PROJECT DATE 02-13-2026
SHEET NO. C200



PID:19104600190
CORREA LUNA RIGORBERTO
(P# 282 PG 191)

PID:19104600190
MERT HOLDINGS LLC
(DB 553 PG 2580)
(P# 281 PG 4459)

PID:19104600000
JEFFREY JAY &
SANDRA KAY HALL
(DB 281 PG 2381)
4550 BROWNSVILLE RD SW

PID:19104600270
RINKOW LLC
(DB 15863 PG 4422)
BROWNSVILLE RD SW
77,348 SQ. FT.
1.776 ACRES

PID:19104600000
JEFFREY JAY &
SANDRA KAY HALL
(DB 281 PG 2381)
4550 BROWNSVILLE RD SW

GRADING LEGEND

- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- - - EXISTING MINOR CONTOURS
- - - EXISTING MAJOR CONTOURS
- - - EXISTING MINOR CONTOUR
- - - PROPOSED MAJOR CONTOUR
- - - EXISTING STORM LINE
- - - PROPOSED STORM LINE

- 124 PROPOSED SPOT ELEV
- 2% SLOPE ARROW
- ⊙ GATE INLET
- ⊙ STORM MANHOLE
- ⊙ DOUBLE WING CATCH BASIN
- ⊙ SINGLE WING CATCH BASIN
- ⊙ AREA INLET
- ⊙ OUTLET CONTROL STRUCTURE
- ⊙ HEADWALL
- ⊙ SANITARY SEWER MANHOLE

ATWELL
866.850.4200 www.atwell.com
1850 PARKWAY PLACE, SUITE 650
MARIETTA, GA
770.423.0800
CO.# PFT005804

PROJECT ADDRESS
4550 BROWNSVILLE RD
POWDER SPRINGS, GA
30127
**24 HOUR
EMERGENCY CONTACT**
NAME
PHONE

SITE DEVELOPMENT PLANS
TLE - BROWNSVILLE ROAD
VISION DEVELOPMENT
GRADE PLAN

REV	DATE	PLAN REVISIONS

PROJECT NO. 23009062
PROJECT DATE 02-13-2026
SHEET NO. C300



CHERRY LN

6038 19102700120

19102700240
4410

OGLESBY RD

BROWNSVILLE RD

HIRAM LITHIA SPRINGS RD

19104600200

6061 19104600010

19104600190

4512 19104600020

19104600270

132395

4512 19104600020

19104600140

4570

19104600030

211
19104600120

6041 19104600110

4595 19104600060

4481 19104600250

4551 19104600100

19104600180

19104600070

4575

4630 19104600230

4511 19104600280

4511

19104600080

4905

4301



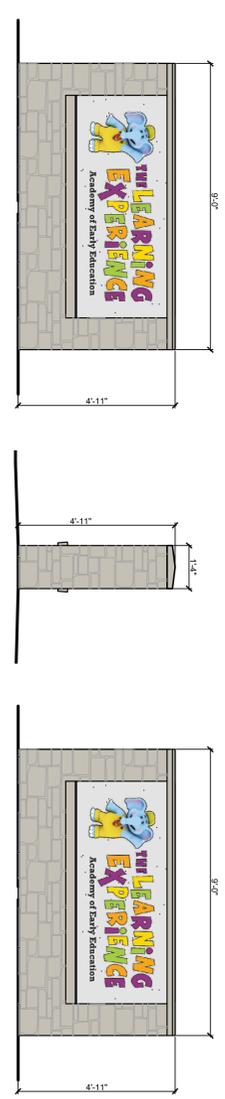
WEST ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

EXTERIOR MATERIAL SCHEDULE

LABEL	MANUFACTURER	SIZE/TYPE	FINISH/COLOR
STOREFRONT	KAWNEER	TRIFAB 451T / 350	BONE WHITE
DOOR	-	PER DOOR SCHEDULE	FACTORY FINISH
FIXED WINDOW	-	SILVER LINE V1 SERIES	FINISH PAINT COLOR: WHITE
STONE	PLY GEM	STONE VENEER	WHITE
SILL	QUARRY MILL	3 1/4" X 6 1/2" WITH 2" FLAT WITH 1/4" DRIP EDGE	COLUMBIAN CLASSIC GREY COLUMBIAN CLASSIC GREY REGULAR (LIGHT GREY)
EIFS-1	MODERN PRECAST	-	SAND PEBBLE FINISH
EIFS-2	DRYPIT	-	COLOR: SW 7075; WEB GRAY
EIFS-3	DRYPIT	-	SAND PEBBLE FINISH
EIFS-4	DRYPIT	-	COLOR: SW 9162; AFRICAN GRAY
AWNING	DRYPIT	-	SAND PEBBLE FINISH
CANOPY	-	CUSTOM ALUMINUM	COLOR: SW 8911; CONFIDENT YELLOW
CORING	FABRAL (OR EQUAL)	BREAK METAL	SHERWIN WILLIAMS POWDURA COLOR: P759-0000; GOLDEN CORN
			CLEAR ANODIZED
			TO MATCH ADJACENT



TWO-SIDED MONUMENT
SCALE: 3/8" = 1'-0"

COMPANY NAME AND LOGO

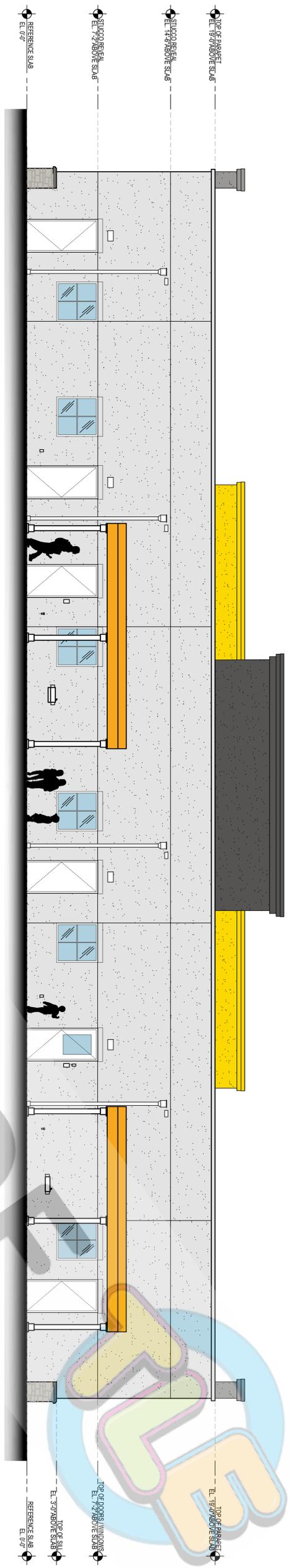
STREET ADDRESS
CITY, STATE ZIP CODE
TLE SITE ID:



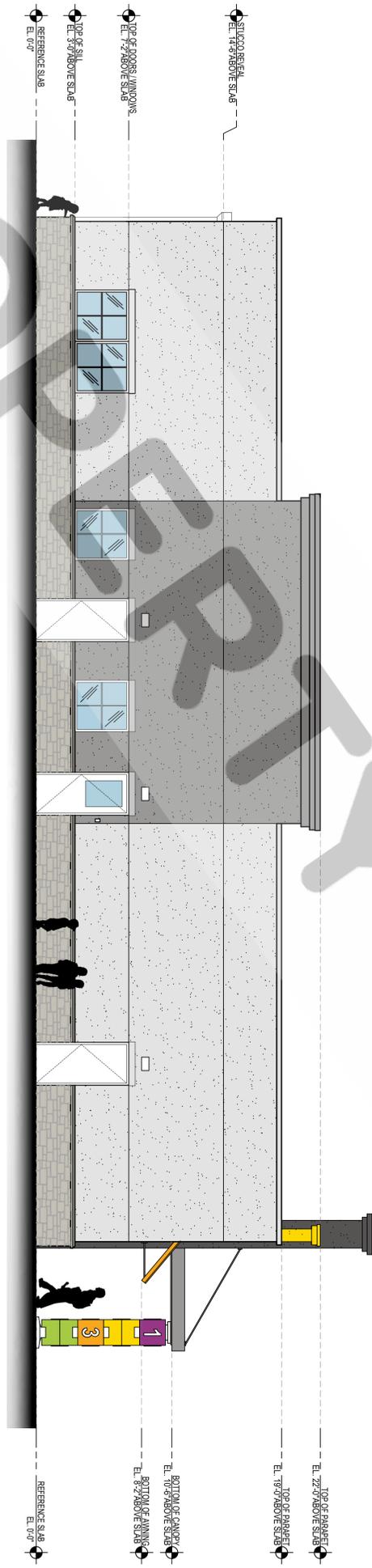
ISSUE			REVISION		
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
01	05-03-24	PROTOTYPE UPDATE	02	06-17-24	DESIGN DIRECTIVE #014
			03	08-12-24	DESIGN DIRECTIVE #015
			04	08-22-24	DESIGN DIRECTIVE #016
			05	09-17-24	DESIGN DIRECTIVE #017

PROJECT NUMBER
DRAWN BY
APPROVED BY
PROFESSIONAL CERTIFICATION

A-001
EXTERIOR ELEVATIONS

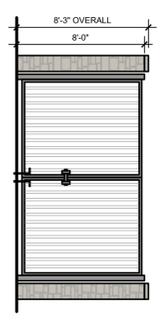
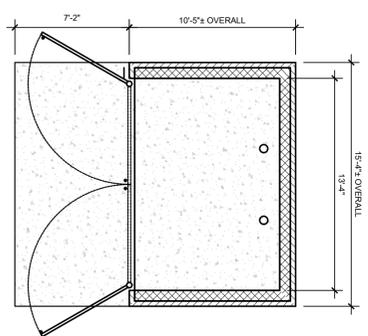


EAST ELEVATION
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"

EXTERIOR MATERIAL SCHEDULE		
LABEL	MANUFACTURER	FINISH/COLOR
STOREFRONT	KAWNEER	BONE WHITE
DOOR	-	FACTORY FINISH
FIXED WINDOW	PLY GEM	SILVER LINE V1 SERIES
STONE	QUARRY MILL	STONE VENEER
SILL	MODERN PRECAST	3 1/4" X 6 1/2" WITH 2" FLAT WITH 1/4" DRIP EDGE
EIFS-1	DRYVIT	SAND PEBBLE FINISH
EIFS-2	DRYVIT	COLOR: SW 7075; WEB GRAY
EIFS-3	DRYVIT	SAND PEBBLE FINISH
EIFS-4	DRYVIT	COLOR: SW 7071; GRAY SCREEN
AWNING	-	SAND PEBBLE FINISH
CANOPY	-	COLOR: SW 8911; CONFIDENT YELLOW
CORING	FABRAL (OR EQUAL)	CUSTOM ALUMINUM CLEAR ANODIZED TO MATCH ADJACENT



DUMPSTER ENCLOSURE
SCALE: 3/16" = 1'-0"

COMPANY NAME AND LOGO

STREET ADDRESS
CITY, STATE ZIP CODE
TLE SITE ID:

THE LEARNING EXPERIENCE
ACADEMY OF EARLY EDUCATION

ISSUE			REVISION		
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
01	05-03-24	PROTOTYPE UPDATE	02	06-17-24	DESIGN DIRECTIVE #014
			03	08-12-24	DESIGN DIRECTIVE #015
			04	08-22-24	DESIGN DIRECTIVE #016
			05	09-17-24	DESIGN DIRECTIVE #017

PROJECT NUMBER
DRAWN BY
CHECKED BY
APPROVED BY

PROFESSIONAL CERTIFICATION

A-002
EXTERIOR ELEVATIONS

Subject Property: 0 Hiram Lithia Springs Road

Parcel Number and Description: 19104600270 LL 1046 of the 19th District, 2nd Section

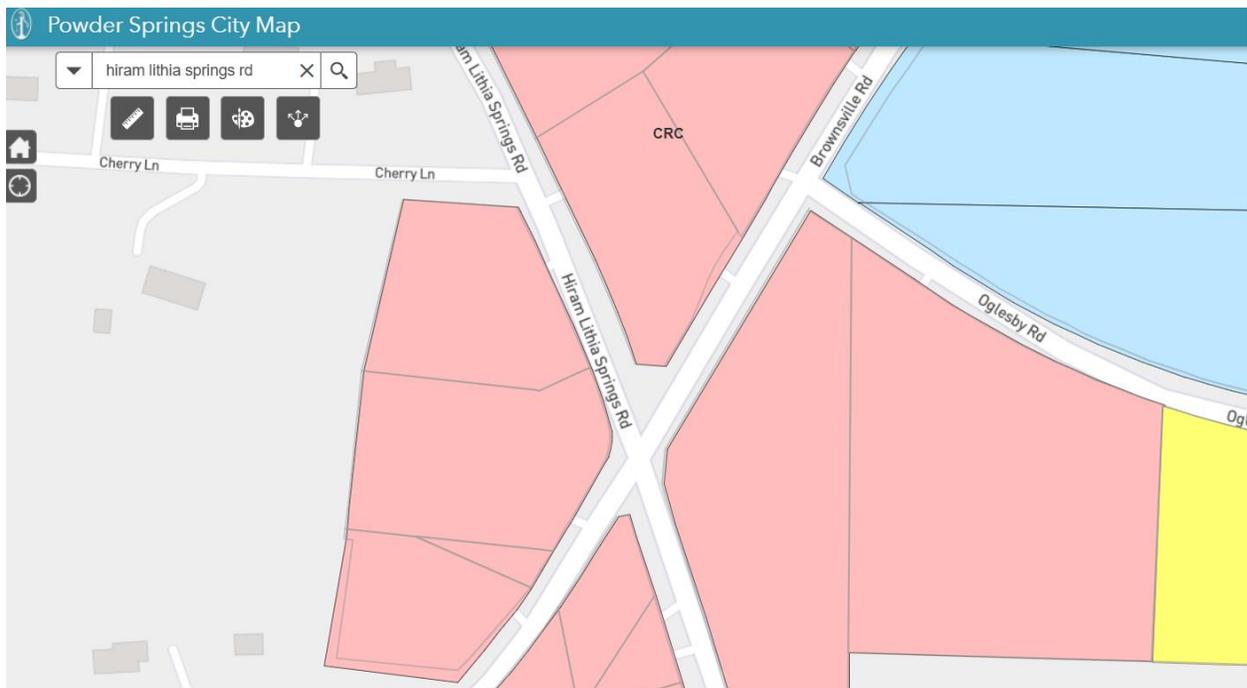
Zoning: CRC

Applicant requests a change in zoning conditions.

Background:

This subject property was annexed from Cobb county and rezoned along with the adjacent north and the adjacent south properties from R-20 and NS to CRC in January 2005. The subject property pad site was developed, but the pharmacy structure never was built.

What Applicant is Proposing: Rezone the subject property in order to amend the previously approved site plan and to allow a 10,000 sq ft 1-story with playground daycare facility instead of the site plan specific pharmacy use approved in the previous rezoning in January 2005.



Layers Map Search Results Report Sales Search Sales List Sales Results Pictometry Imagery Home Upcoming Visits Search 2025 Undeliverable Notices Search Field Definition

Layer List Legend

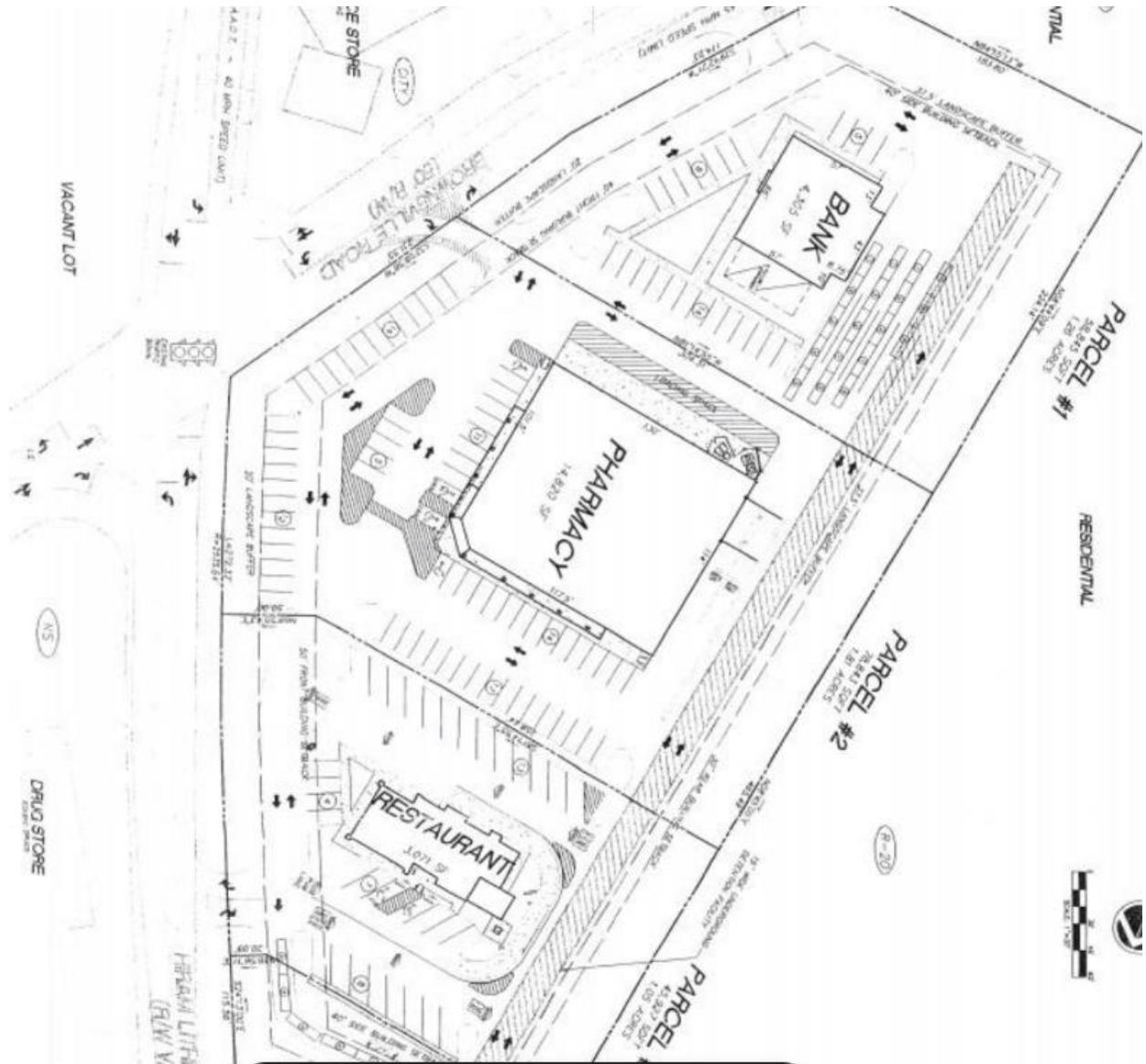
Quick Links:
Property Search
View Map

Layers:

- Parcels
 - House Number Labels
 - Parcel Number Labels
 - Subdivisions
 - Parcels
 - Land Lots
 - Right Of Way
 - Boundary Lines
 - Boundary Line Anno
- Boundaries
 - County Boundary
 - Commissioner Districts
 - Cities
 - Cobb State Senate Districts
 - Cobb State House Districts
- Voting Precincts
- CCSD Attendance Zones

Map showing parcel boundaries and house numbers. A parcel with ID 19104600270 is highlighted in cyan. Other visible parcel IDs include 19104600200, 19104600160, 19104600010, 19104600190, 19104600140, 19104600070, 19104600280, 19104600080, 19104600250, 19104700390, 19104500210, 19104500220, 19104600030, 19104600300, 19104600070, 19104600280, 4481, 4493, 4905, 4511, 4512, 4551, 4575, 5074, 5087, 5088, 5095, 5109, 5130. Roads shown include Brownsville Rd and Blunschidor. A 200 ft scale bar is present at the bottom left of the map area.

What Original Site Plan was Slated to look like



Written Analysis (Applicant's Responses)

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.

The Subject Property is located in the City of Powder Springs as is noted as being in the NAC land use category on the City's Future Land Use Map ("FLUM"). The City of Powder Springs FLUM indicates nearby properties in the City of Powder Springs along this section of the Brownsville Road and Hiram Lithia Springs Road are delineated as being in the NAC land use categories. The proposed changes to the previously approved CRC zoning district and the proposed use contained and embodied within the Application will allow the Subject Property to be developed on a tract of land that is one of three undeveloped properties previously rezoned together in 2005. Applicant's proposed changes to the site plan and adopted stipulations relating to the 2005 rezoning are consistent with the prior rezoning and the applicable land use plan and map.

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.

The zoning proposal will permit a use of the property that is suitable in the context of development and existing zonings which are in direct contiguity or adjacent to the Subject Property that had originally been approved for the CRC zoning district. This proposal is to amend the previously approved site plan and stipulations to allow the parcel to be developed for a daycare facility that was originally approved for a pharmacy between a proposed restaurant and a proposed bank, none of which have been developed.

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.

The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the preponderance of which are commercially zoned in the City of Powder Springs and residential in Cobb County. Nearby properties within the City of Powder Springs have varying commercial uses.

d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned. The previously approved site plan had indicated the parcel would be developed for a Walgreens pharmacy. Economic conditions are no longer conducive to development of the Subject Property in that manner. The current proposal will instead allow the development of a 10,000 square-foot daycare facility, which is also allowed under the CRC zoning district. All of the three parcels that were part of the previous rezoning in 2005 remain undeveloped with the exception of the private driveway connecting to Hiram Lithia Springs Road and Brownsville Road.

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. The zoning proposal will have no adverse impact upon the existing infrastructure including, but not limited to, existing streets, fire and police protection, transportation facilities, utilities or schools.

g. Whether the proposed zoning district of CRC 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.

The proposed changes to the previously approved site plan and zoning conditions are substantially similar to the prior approvals and strike a similar balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property. The effect of the changes on the public will be negligible.



City of Powder Springs

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

Staff Report

4/6/2026

STAFF REPORT ON 4420 MACEDONIA ROAD

Variance - PZ26-004

Owner/Applicant	Robert Taylor
Location	4420 Macedonia Road PIN: 19072700200 Land Lot 727, 19 th District, 2 nd Section
Current Zoning	R-20 (Single family residential district)
Proposed Use	Variance (fence height)
Purpose	To build a 8' screening fence on the subject property.

This subject property was annexed and rezoned to R-20 in 2021 per Ordinance 2021-005. This property was allowed to maintain its legal nonconforming status as a commercial operation. Applicant placed an application for a fence permit on January 8, 2026.

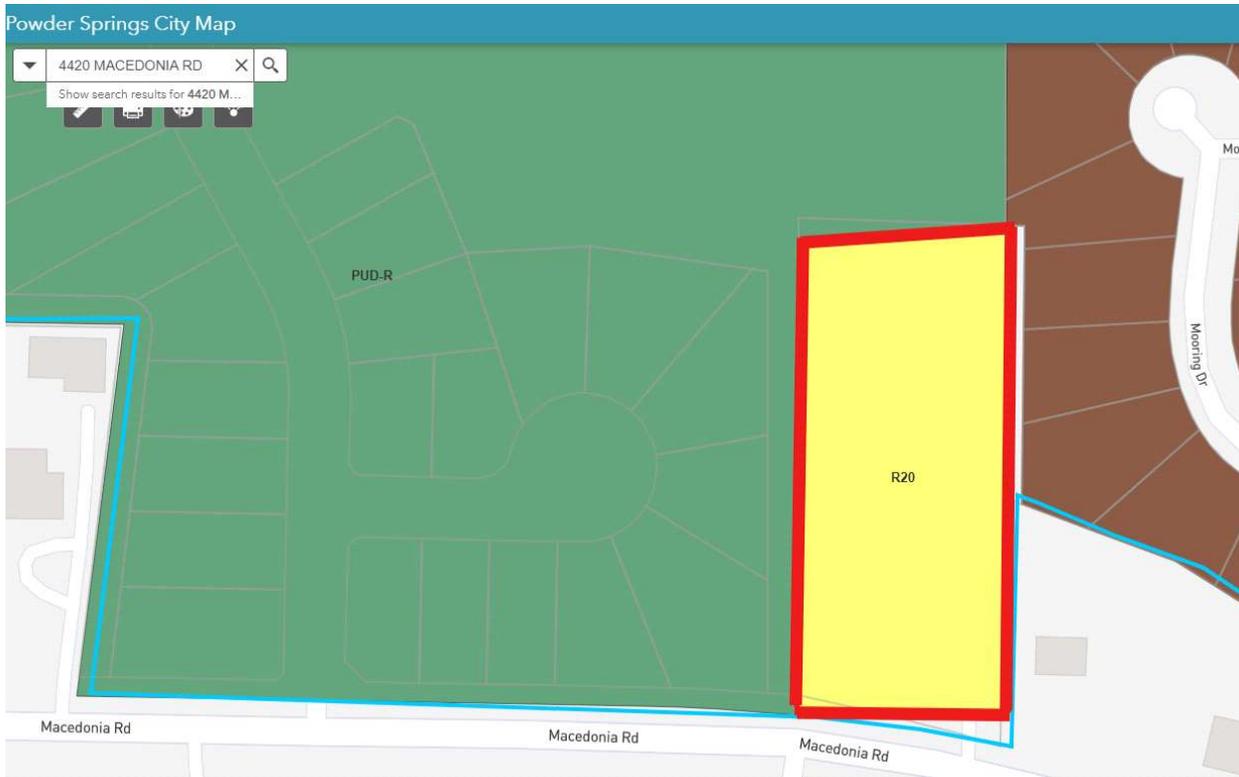
Applicant's request: Removal of 6-foot tall chain link fence (40 years old, rusty and falling apart), and replacement with a wooden privacy fence that is 8-feet tall.

Response to Applicant: Per Unified Development Code (UDC) Sec. 4-135, Table 4-1, an 8-ft tall fence is not permitted within the R-20 zoning district.

https://library.municode.com/ga/powder_springs/codes/unified_development_code?nodeId=ART4SPUSPR_DIVIUS_S4-135FEWA

A maximum fence height of 6 feet is permitted on the subject property per UDC. Fence materials and the design of fence are permitted. Mr. Taylor's fence materials will be weather treated wood. Mr. Taylor would prefer to install a 8-foot fence for screening purposes due to the quantity of materials on subject property. Mr. Taylor is surrounded by residential buildings on all sides of his property. Applicant also has a 25 foot HOA Buffer.

Zoning = R-20



qPublic.net Cobb County





Elements that Applicant would like to screen from neighbors



Existing Fence (6 feet)





Proposed height of new fence (8 feet)



Proposed New Fence (8 feet)



Analysis:

Applicant is proposing to replace an existing 6' tall chain link fence on the west perimeter of the lot with an 8' wooden privacy fence (matching the fence on the east side of the parcel, also adjacent to a residential

neighborhood). The parcel is an existing legal non-conforming use (Commercial) use within an R-20 residential zone. The 8' opaque/privacy fence will serve to enhance the open space/buffer between the commercial use and the residential neighborhood to the west of the parcel. The project will also include removing the existing chain link fence, including the section of fence encroaching upon the property line of northwest corner of the property.

Conditions/Stipulations:

The existing fence is seen to be encroaching upon the 25' buffer and will be presumed to be removed by owner.

Fence must be placed per the survey provided dated 12/04/2025.

Minutes
Planning and Zoning Work Session
February 12, 2026

Note: JoAnna Robinson transcribed these minutes. These minutes are a summation of the events of the meeting and not intended to be a verbatim transcription of the meeting.

John Partton convened the Planning & Zoning Commission work session at 7:12pm with the following members present: James Taylor, Randall Madison, Roy Wade, Kristopher Boyd, Kelly Fisk with Wanda McDaniel absent for this session.

January 8, 2026 minutes were passed out (typed up physical copies) and Planning and Zoning Commission read over them. No corrections needed to be made to notes per Planning and Zoning Commission.

Staff mentioned that the two cases that was discussed in the work session in early January will carry forward to our next Public Hearing.

The Commission considered the following item:

Variance – PZ26-004

Owner/Applicant	Mr. Robert Taylor (The Windscreen Factory)
Location	4420 Macedonia Road
Current Zoning	Residential (R-20)
Proposed Use	Variance
Purpose	To build a 8-foot wooden privacy fence on the west side of property to screen his business elements from the neighbors.

Before Mr. Taylor introduced himself, Staff did state that this is a continuation of a legally non-conforming use. This is a commercial use that is in a R-20 zoning and they will need a Variance for a fence that is higher than 6 feet.

Mr. Taylor was asked by the Planning and Zoning Commission “what is this fence is going to be made out of?” Mr. Taylor replied, “it will be a wooden, privacy fence.”

Mr. Robert Taylor gave us the background on his property. When he bought the property a few years ago, it was a called ABC Awning which was a fabric structure business. He took it over and expanded upon it. The prior owner owned this lot and the property adjacent to it. Mr. Taylor bought the lot that had the building and strip in front of the road. The prior owner then sold the adjacent lot to a developer, and they built a residential neighborhood. The Applicant mentioned that there is a 25 ft buffer that separates his property from this neighborhood.

Next, the present conditions of the fence were talked about. The original chain link fence is rusted, falling apart. Mr. Robert did mention that he is looking to install this fence due to how the houses in the neighborhood sit. They are elevated higher than his property and they can look into his property quite easily and he can see into theirs, hence why he is seeking a 8-foot fence instead of a 6-foot fence.

The Planning and Zoning Commission asked if he was planning landscaping. Mr. Taylor did say that he will be adding trees to the front and side of the property.

Staff did mention that when the area was annexed in, Cobb DOT approval will be needed for any improvements. Staff will give a copy of the case file so Applicant can follow up on it.

Mr. Taylor mentioned on the east side of his property, it has a 8-foot privacy fence that has been existing for a long time before he bought the property. Some of that was falling apart and he repaired it. The neighbors appreciated it very much. He just wants to match the left side to the right side. The chain-link will stay installed in the front.

The Planning and Zoning Commission did ask if it has been noted that there is an existing 8- foot fence on the right side of the property in his application. Staff replied, “we will double check for that.”

The Planning and Zoning Commission wanted to know if there was any disapproval from any people on the right-hand side of his property. Mr. Taylor did mention that there was a female citizen that was upset because she believes that the Applicant was building on her property. Mr. Robert did state that he didn't have the property surveyed when he first bought it. He didn't know where his property line was. However, when the surveyor was out in December 2025, he found out that his fence is 2 feet inside of his property line. At that time that the surveyor was on his property, the female citizen did ask the surveyor to stake her property line as well.

The HOA buffer was talked about. Such as who cares for it (HOA). The Planning and Zoning Commission did ask Applicant if he is cutting trees for this fence. Mr. Robert replied, “no”. Staff told Mr. Taylor that the Public Hearing is February 23rd. Staff dismisses everyone at 7:40pm.



Variance Request Application Form

Applicant Information

Name	Robert Taylor	Phone	[REDACTED]
Mailing Address	4420 Macedonia Rd, Powder Springs, GA 30127	Email	[REDACTED]

Variance Request Property Information

Address	4420 Macedonia Rd, Powder Springs, GA 30127	Parcel ID / Lot#	Land Lot # 726 and 727
Acreage	1.643	Present Zoning	R-20 (Grandfathered Business)
Variance Request	Allow 8ft Fence vs 6ft fence		
Source of Water Supply	Cobb County Water	Source of Sewage Disposal	Septic

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

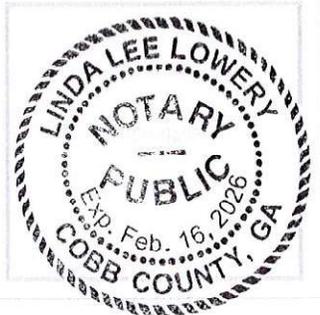
Notary Attestation

Executed in Powder Springs GA (City) GA (State).

	ROBERT TAYLOR	1-16-26
Signature of Applicant	Printed Name	Date

Subscribed and sworn before me this 16th day of Jan. 2026

	Linda Lee Lowery	2/16/2026
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**

Variance Request

Notice of Intent

Applicant Information

Name	Robert Taylor	Phone	[REDACTED]
Mailing Address	4420 Macedonia Rd, Powder Springs, GA 30127	Email	[REDACTED]

Notice of Intent

PART I. Please indicate the purpose of this application :

To allow for 8ft Fence vs 6ft Fence. Make change while replacing old rusty/broken chain link fence

PART II. Please list all requested variances:

Part III. Existing use of subject property:

Normal Business operations of The Windscreen Factory

Part IV. Proposed use of subject property:

Normal Business operations of The Windscreen Factory

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

Intended to improve aesthetics, privacy and security of both property owner and neighbors.
Pictures, Drawings and Details included as attachments to request

Applicant Signature

Robert Taylor Digitally signed by Robert Taylor
Date: 2026.01.16 12:28:14 -05'00'
Signature of Applicant

Robert L Taylor
Printed Name

Jan 16, 2026
Date



Variance Request

Applicant's Written Analysis

Applicant Information

Name	Robert Taylor	Phone	[REDACTED]
Mailing Address	4420 Macedonia Rd, Powder Springs, GA 30127	Email	[REDACTED]

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.
No Exception Conditions - Straightforward Fence Replacement with Upgrade/Improvement
 - 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.
 - 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
Agree
 - 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.
Agree - Should improve aesthetics and security of neighborhood
 - e. The special circumstances are not the result of the actions of the applicant.
Current use of property is as commercial business grandfathered in and approved for use. Variance should not affect current status or use of 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.
- 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.
Agreed - Variance will not change current, ongoing use or activities of property

Applicant Signature

Robert Taylor	Robert L Taylor	Jan 16th, 2026
<small>Digitally signed by Robert Taylor Date: 2026.01.16 12:38:11 -05'00'</small>		
Signature of Applicant	Printed Name	Date



Variance Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name	Robert Taylor	Applicant's Address	4420 Macedonia Rd, Powder Springs, GA 30127
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:

Gr8R Holdings, LLC (Single Owner LLC)
Robert L Taylor

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



Variance Request Owner's Authorization Form

Owner's Authorization

Applicant Name **Robert Taylor** Applicant's Address **4420 Macedonia Rd, Powder Springs, GA 30127**

Property Address **4420 Macedonia Rd, Powder Springs, GA 30127** Property PIN **P91900764**

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

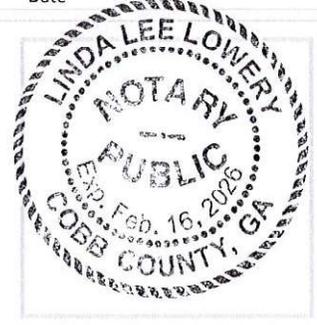
Signature of Property Owner(s)

Robert Taylor Signature of Owner **ROBERT TAYLOR** Printed Name **1-16-26** Date

State of GA, County of Cobb.

This instrument was acknowledged before me this 16th day of January.

2026, by Robert Taylor. Identification Presented: D/K.



Linda Lee Lowery Signature of Notary Public **Linda Lee Lowery** Name of Notary Public **2/16/2028** My Commission Expires

Signature of Owner _____ Printed Name _____ Date _____

State of _____, County of _____.

This instrument was acknowledged before me this _____ day of _____.

20____, by _____ Identification Presented: _____

Signature of Notary Public _____ Name of Notary Public _____ My Commission Expires _____

Property line/ fence

From Molly Dickson <[REDACTED]>
Date Tue 2/24/2026 3:31 PM
To shonna harkness <[REDACTED]>
Cc [REDACTED] <[REDACTED]>; Brandon Cody <[REDACTED]>; John Parton <jparton@powderspringsga.gov>; Comm Dev <commdev@powderspringsga.gov>; JoAnna Robinson <irobinson@powdersprinasga.gov>; Kerisha Black <kblack@powderspringsga.gov>; [REDACTED] <[REDACTED]>

CAUTION: This email originated from outside the City of Powder Springs network. Maintain caution when opening external links/attachments

Good afternoon Shonna,

Please see the photos and survey from Mr.Roberts. The board reviewed and is in support of the fence being installed.

Per our telephone conversation earlier today, please see attached for copy of the survey I had done late November/early December.

Also, here is a link to the photographs that you had requested:

<https://photos.app.goo.gl/mAqBT9oYuQNePFsn8>

Thank you,

Molly Dickson
Development Manager



3957 South Main Street
Acworth, GA 30101

Office: [REDACTED]
www.kerleyfamilyhomes.com

From: Molly Dickson
Sent: Tuesday, February 24, 2026 1:44 PM
To: 'shonna harkness' <[REDACTED]>
Cc: [REDACTED]; Brandon Cody <[REDACTED]>
Subject: RE: Property line/ fence

Good afternoon Shonna,

I hope all is well. My builder was out on property today and measured the buffer area to Mr. Roberts proposed fence and the fence is not in the buffer area. We do not feel that it is necessary to spend money on a survey knowing this information. I have our builder requesting Mr. Roberts survey for our records.

Thank you,

Molly Dickson
Development Manager



3957 South Main Street
Acworth, GA 30101
Office: [REDACTED]
www.kerleyfamilyhomes.com

From: shonna harkness <[REDACTED]>
Sent: Monday, February 23, 2026 9:34 PM
To: Molly Dickson <[REDACTED]>
Subject: Re: Property line/ fence

Hey Molly,

After the variance meeting, they have given us until March 12th to have survey done. Can the HOA produce funds asap to have it done?

From: Molly Dickson <[REDACTED]>
Sent: Monday, February 23, 2026 11:12 AM
To: shonna harkness <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Subject: RE: Property line/ fence

Shonna,

I can bring this up to the board and get a vote on it. I will be back in touch.

Thank you,

Molly Dickson
Development Manager



3957 South Main Street
Acworth, GA 30101
Office: [REDACTED]
www.kerleyfamilyhomes.com

From: shonna harkness <[REDACTED]>
Sent: Monday, February 23, 2026 11:10 AM
To: Molly Dickson <[REDACTED]>
Subject: Re: Property line/ fence

Is it possible to get a survey done and funded through the HOA funds?

From: Molly Dickson <[REDACTED]>
Sent: Monday, February 23, 2026 10:18 AM
To: shonna harkness <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Subject: RE: Property line/ fence

Good morning,

The one I sent you is the final recorded plat. The City has a copy of this. They are stating the survey that Mr. Roberts provided does not show his fence encroaching onto our buffer. The City has both surveys.

Thank you,

Molly Dickson
Development Manager



3957 South Main Street
Acworth, GA 30101
Office: [REDACTED]
www.kerleyfamilyhomes.com

From: shonna harkness <[REDACTED]>
Sent: Monday, February 23, 2026 10:09 AM
To: Molly Dickson <[REDACTED]>
Subject: Re: Property line/ fence

Yes, the one you sent me.

From: Molly Dickson <[REDACTED]>
Sent: Monday, February 23, 2026 8:44 AM
To: shonna harkness <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Subject: RE: Property line/ fence

Good morning Shonna,

Are you saying you have a survey?

Thank you,

Molly Dickson
Development Manager



3957 South Main Street
Acworth, GA 30101

Office: [REDACTED]

www.kerleyfamilyhomes.com

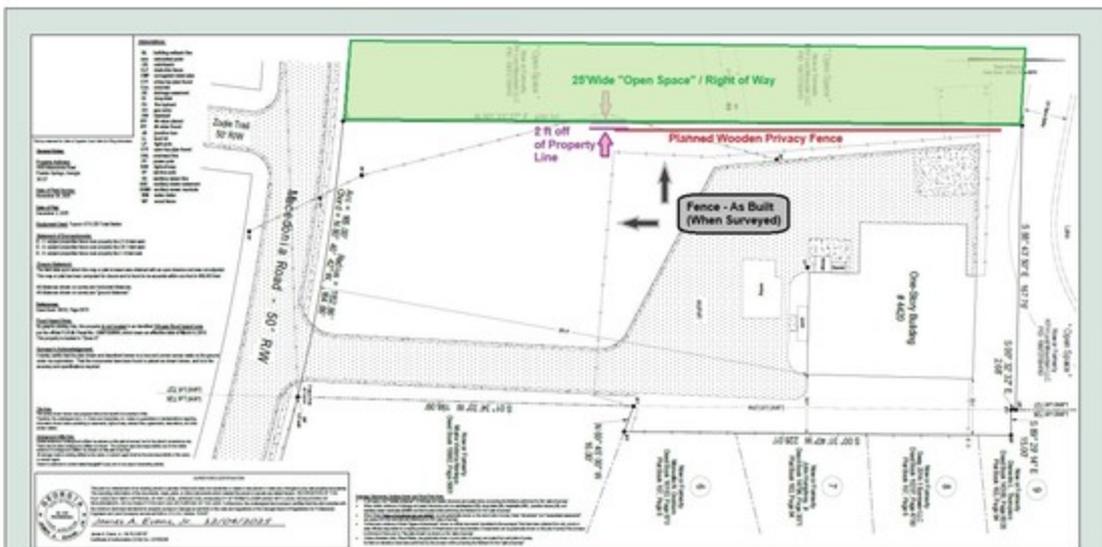
From: shonna harkness <[REDACTED]>

Sent: Friday, February 20, 2026 12:42 PM

To: Molly Dickson <[REDACTED]>

Subject: Property line/ fence

We know according to the original proerty line servey that is not true. Do they know we have a servey?



J. A. Evans and Associates
 3279 Powder Springs Road
 Powder Springs, GA 30127

Area Calculation
 1.643 Acres
 71,580 square feet

Retrospection Survey for:
**GR8R Holdings, LLC
 and Robert Taylor**

Land Lot 726 and Land Lot 727
 19th District, 2nd Section
 Cobb County, Georgia

REVISIONS

NO.	BY	DATE	DESCRIPTION
1	JAE	11/20/2017	Initial Survey and Plat

Contact: JAMES A. EVANS, JR., GA REG. #21817
 Phone: 770-943-0080
 Email: jae@jaev.com

1-1
 JAE Job# 250190





Google Earth View of 8ft Wooded Privacy Fence from 2022

Included so you could see that although we refurbished fence since 2022,
wood privacy fence has been in place for many years





Existing Old Rusty
6ft Chain-Link Fence





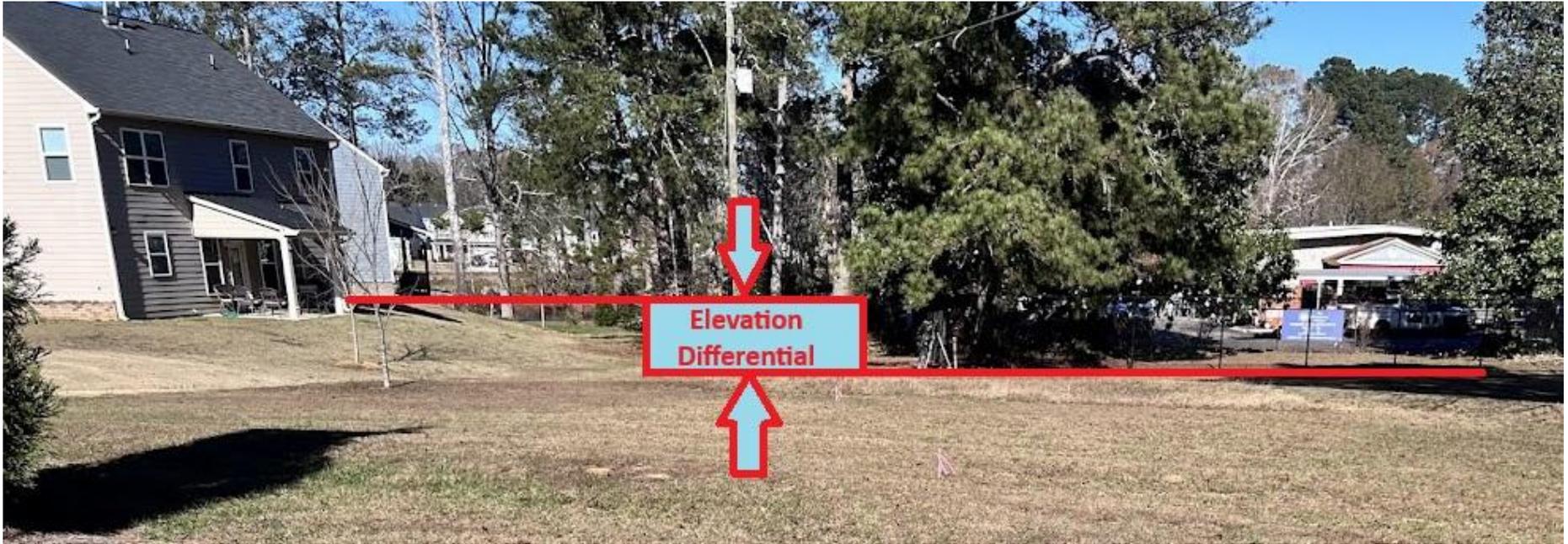


Existing Rusty and Broken
6ft chain link fence





Proposed New
8ft Fence Height

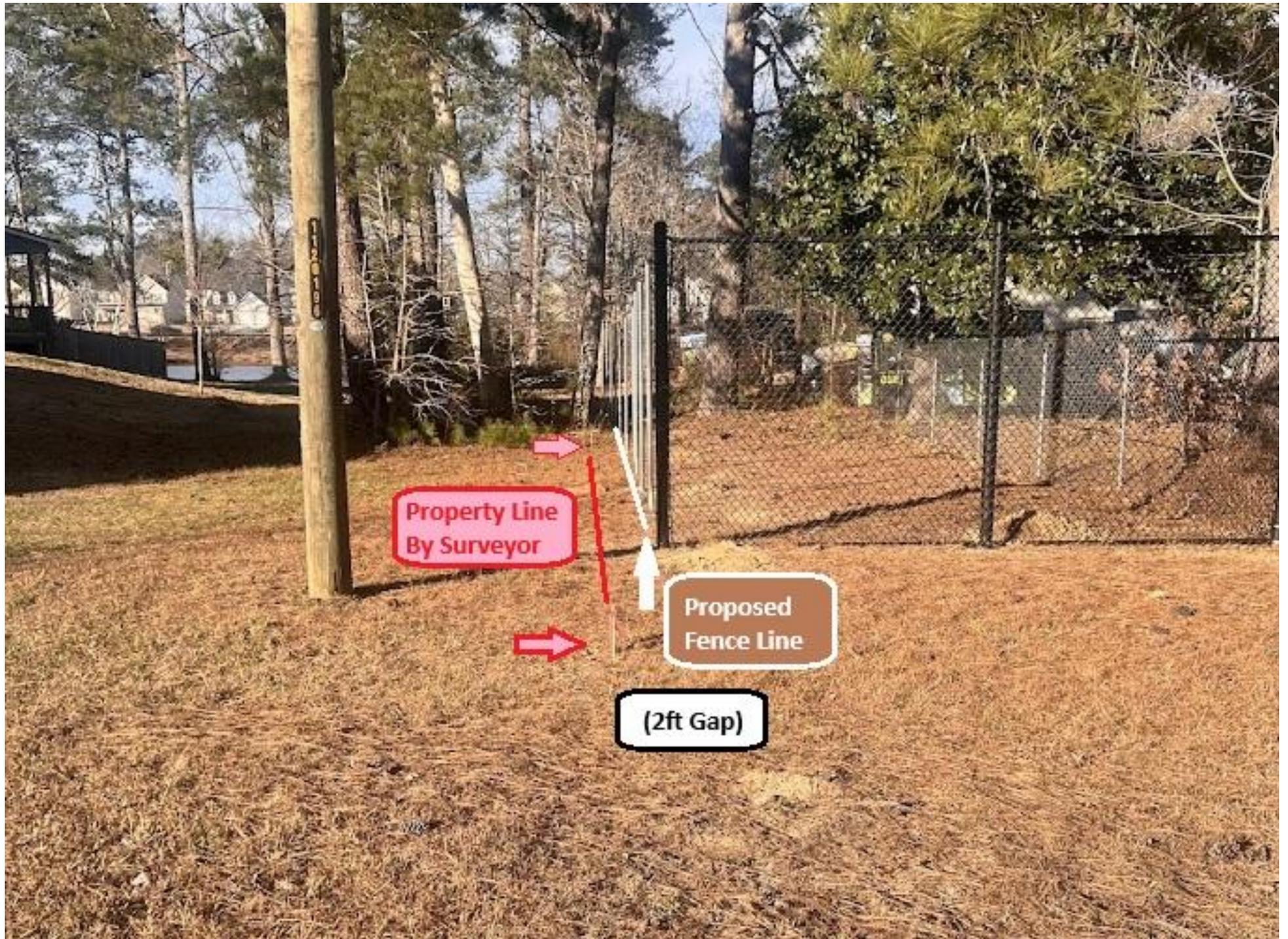




Home Owners
Property Corner
Marked by
Surveyor
Requested by Resident

25ft Open Space
/ Right of Way
(per Surveyor)

4420 Property Line
As marked by
Surveyor



Property Line
By Surveyor

Proposed
Fence Line

(2ft Gap)

Dunham Monyelle N
3332 Mooring Dr
Powder Spgs, GA, 30127

Kfh Lost Mountain Llc
3957 S Main St
Acworth, GA, 30101

Sway 2014 1 Borrower LlcC/o Ryan Llc
Po Box 4900
Scottsdale, AZ, 85261

Humphrey John Jr
3330 Mooring Dr
Powder Springs, GA, 30127

Noriega Maria Victoria
3119 Milford Chase
Marietta, GA, 30008

Ivery Kevin & Harkness Shonna
4440 Demesne Way
Powder Springs, GA, 30127

Sanneh Momodou
4437 Demesne Way
Powder Springs, GA, 30127

Daniel Robin
4433 Demesne Way
Powder Springs, GA, 30127

Gr8r Holdings Llc
120 Spring Ridge Dr
Dallas, GA, 30157

Kfh Lost Mountain Llc
3957 S Main St
Acworth, GA, 30101

Thompson Demetric L
3326 Mooring Dr
Powder Springs, GA, 30127

TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633

ORDER CONFIRMATION

Salesperson: ROSE MILLER

Printed at 02/03/26 13:29 by rmill-tj

Acct #: 110102

Ad #: 534893

Status: New WHOLD

CITY OF POWDER SPRINGS
KELLY AXT
PO BOX 46
POWDER SPRINGS GA 30073

Start: 02/06/2026 Stop: 02/06/2026
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.71 Words: 200
Total LEG 2.71
Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00
Ad Descrpt: PH-9625 4420 MACEDONIA RD
Descr Cont: MDJ-9625 GPN-16 NOTICE OF
Given by: KERISHA BLACK
P.O. #: 4420 MACEDONIA RD
Created: rmill 02/03/26 13:25
Last Changed: rmill 02/03/26 13:29

Contact:

Phone: (770)943-1666

Fax#:

Email: kaxt@powderspringsga.gov; PC

Agency:

PUB ZONE EDT TP RUN DATES
MDJ A 95 S 02/06

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

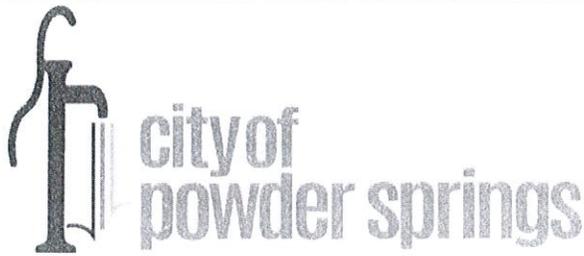
Name (signature)

MDJ-9625
GPN-16
NOTICE OF PUBLIC HEARING
City of Powder Springs
VARIANCE

Notice is hereby given of an application for a variance to permit the construction of an 8-foot-tall wooden fence within a residentially zoned area. Within land lot 727, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19072700200. The application will be considered by the Planning and Zoning Commission at its work session on Thursday, February 12th, 2026, at 7:00 pm, at its public hearing on Monday, February 23rd, 2026, at 7:00 pm, and by the Mayor and Council at its work session on Wednesday, February 25th, 2026, at 5:00 pm and its public hearing on Monday, March 2nd, 2026, at 7:00 pm. All meetings will be held at City Hall located at 4483 Pineview Dr, Powder Springs GA 30127. If applicable, Zoom links will be available at www.powderspringsga.gov.

Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing and to sign in 20 minutes prior to the scheduled public hearing at city hall.

2:6-2026



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 4420 Macedonia Rd Powder Springs GA

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 02/09/2026. 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 02/09/2026. 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 Powder Springs (City), GA (State).

[Signature]
Signature of Applicant
ROBERT TAYLOR
Printed Name
02/11/26
Date

Subscribed and sworn before me this 11 day of FEB, 2026

[Signature]
Signature of Notary Public
Michelle Shuler
Name of Notary Public
April 20, 2027
My Commission Expires



January 23rd, 2026

Robert Taylor
4420 Macedonia Rd
Powder Springs GA 30127

RE: Variance to permit the construction of an 8-foot-tall wooden fence within a residentially zoned area. Located at 4420 Macedonia Rd, within land lot 727 on the 19th District, 2nd section, Cobb County Georgia. PIN: 19072700200.
Applicant: Robert Taylor.

Dear Neighbors:

The application will be heard before the Planning and Zoning Commission, and Mayor and City Council on the following dates:

- Planning and Zoning Commission: **Thursday, February 12th, 2026** at 7:00 PM (Agenda Meeting)
- Planning and Zoning Commission: **Monday, February 23th, 2026** (Public Hearing) at 7:00 pm.
- Mayor and City Council: **Wednesday February 25thth 2026** at 5pm (Agenda Meeting)
Mayor and City Council: **Monday, March 2nd, 2026** (Public Hearing) at 7:00 pm

Please visit our website at www.cityofpowdersprings.org for ZOOM links, physical meeting location details, and additional information and instructions. Any changes to our meetings will also be updated on our website.

Should you have any questions please feel free to contact the City of Powder Springs at 770-943-1666 extension 307, or email Kerisha Black kblack@cityofpowdersprings.org. At the City of Powder Springs.

Thank you,

Robert Taylor
Applicant

Exhibit 1: Site Plan





POWDER SPRINGS
 4644 POWDER SPRINGS DALLAS RD
 POWDER SPRINGS, GA 30127-9998
www.usps.com

02/09/2026

03:07 PM

Product	Qty	Unit Price	Price
Love 2026	10	\$0.78	\$7.80
Grand Total:			\$7.80
Cash			\$20.00
Change			-\$12.20

TO REPORT AN ISSUE
 Visit <https://email.usps.com>

All hazardous labels/markings on reused boxes MUST be completely removed/obliterated if they no longer match the contents.

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

PREVIEW YOUR MAIL AND PACKAGES
 Sign up for FREE at
<https://informedelivery.usps.com>

All sales final on stamps and postage.
 Refunds for guaranteed services only.
 Thank you for your business.

Customer Service
 1-800-ASK-USPS
 (1-800-275-8777)

Agents do not have any additional information other than what is provided on USPS.com.

Tell us about your experience.
 Go to: <https://postalexperience.com/Pos>
 or scan this code with your mobile device.



or call 1-800-410-7420.

UFN: 127040-0304
 Receipt #: 840-53000021-4-9515175-1
 Clerk: 35

VARIANCE NOTICE

Application has been made for
a variance

to be heard by the

Powder Springs Planning Commission

On February 23rd 2026 at 7:00 pm

and by the Mayor & City Council

of Powder Springs, Georgia.

On March 2nd 2026 at 7:00 pm

Zoning R-20 and Code Section Sec 4-135

Location: City Hall
4483 Pinewood Dr Powder Springs GA 30127



City of Powder Springs

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

Staff Report

4/6/2026

CASE NUMBER: PZ26-003

APPLICANT: JATINKUMAR PATEL

SPECIAL USE REQUEST: To operate a package store in the Community Retail Commercial District (CRC), per Table 2-3 which require package stores in CRC to have special use approval.

LOCATION: 4093 Marietta St SW Ste C

ZONING: CRC PIN: 19090400370

BACKGROUND: The applicant seeks to lease out Suite C to operate as a traditional package store offering beer, wine, and spiritous retail sales. The applicant indicated prior experience operating a package store for approximately ten years in Rome, GA, which was subsequently sold.

The City of Powder Springs Unified Development Code's (UDC) Table 2-3 provides that *Package Stores* within the *CRC* zoning district require special use approval. Additionally, UDC Sec. 3-120(b1) & (b3), provides that, for a license for package wine, malt and spirituous beverages, a suitable distance is six hundred (600) feet from a school, and three hundred (300) feet from a church or residence.

The subject location was a bar/restaurant known as Bimini Bay and it has been unoccupied since that business's closure which was in October 2025. To receive approval for an alcohol permit, the applicant must first receive approval to satisfy the zoning conditions for special use approval.

The subject location is approximately 264 feet to the nearest property line of a vacant parcel of land at 3948 Old Austell Rd. The subject property is also surrounded by CRC and Mixed-Use District (MXU) and across the street is CRC and MXU as well. Behind the property and to the west is R-15 with the majority of residences being lived in.

SURROUNDING AREA: Zoning Map: Figure 1 Aerial Map: Figure 2

Alcohol Distance Survey: Figure 3 Future Land Use Map (FLUM): Figure 4

Nearest Residence: Approximately 264 feet (vacant land with R-15 zoning), located at 3948 Old Austell Road.
(Shown on Figure 3: Applicant's Alcohol Survey)

AND

4140 Atlanta Street, Approximately 350 feet (Shown on Figure 3: Applicant's Alcohol Survey)

Nearest Church: Approximately 1,081 feet (Calvary Baptist Church), located at 3988 Powder Springs Road
(Shown on Figure 3: Applicant's Alcohol Survey)

Nearest School: Approximately 505 feet (Compton Elementary School), located at 3450 New Macland Road.
(Shown on Figure 3: Applicant's Alcohol Survey)

Per Ordinance Number 2021-023 The code of ordinances defines distance as, "the measure in lineal feet of the most direct route of travel on the ground by a pedestrian from the center of the nearest door of customer entry of the proposed license premises to the nearest property line of the church, school, park, public building, library, or residence. Such travel shall be measured as a straight line from the customer door to the property line and is not required to follow a line running along the nearest sidewalk or street route; provided that, when a straight line of travel would not be a customary and reasonable line of travel because of obstacles to such travel, the line of travel shall be angled around such obstacles and the distance shall be the sum of the segments of the line."

The current zoning is CRC (Community Retail Commercial).

Figure 1: Zoning Map

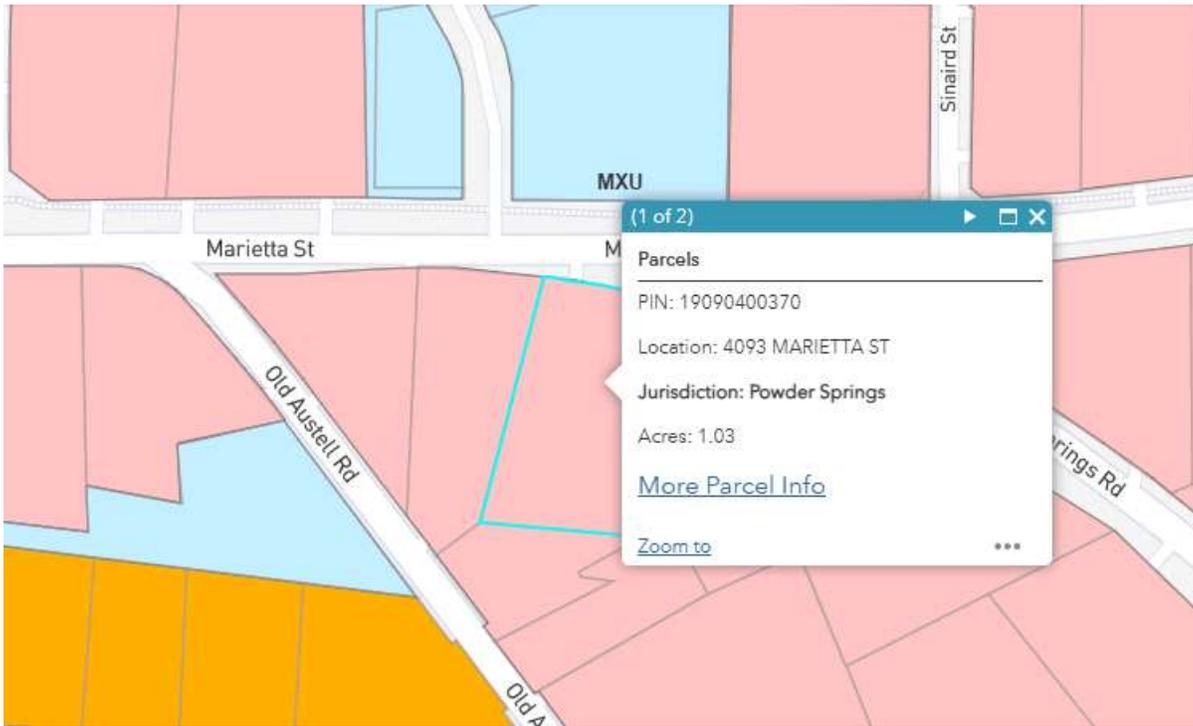
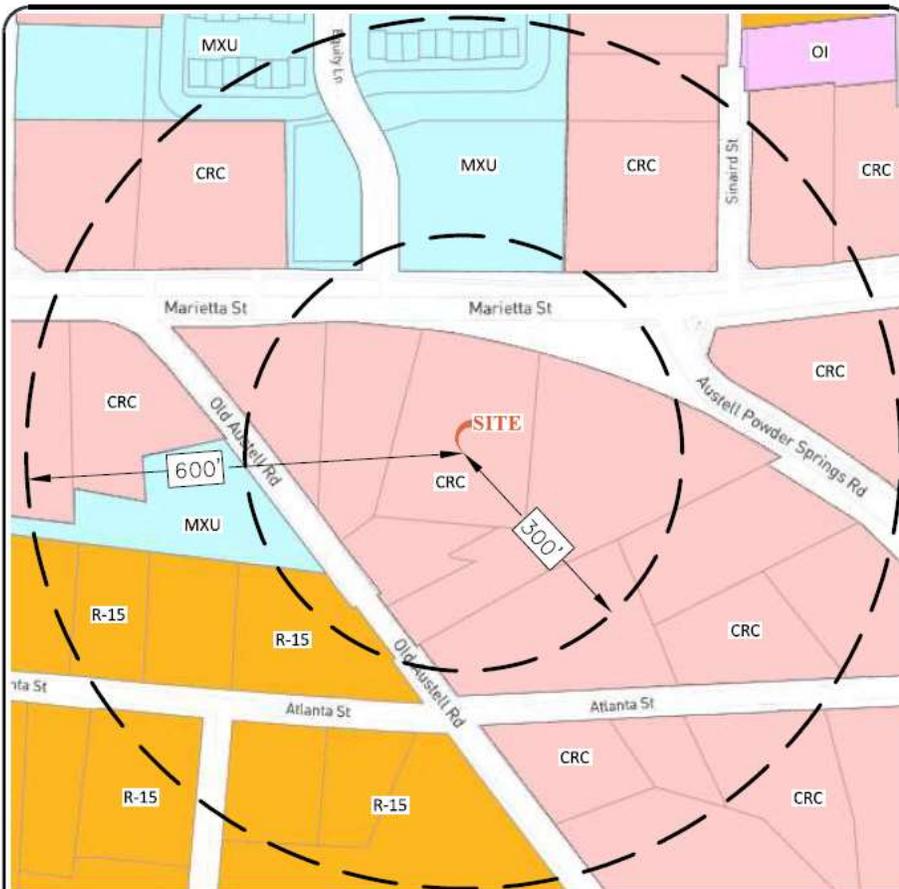


Figure 2: Aerial Map



Figure 3: Alcohol Distance Survey



MAGNETIC NORTH
SCALE: 1" = 200'

ALCOHOL PERMIT SURVEY

Prepared for: **POWDER EXPRESS, LLC**
4093 MARIETTA STREET, SUITE C
POWDER SPRINGS, GA 30127
LAND LOT 904 of the 19th DISTRICT, 2nd SECTION
COBB COUNTY, GEORGIA - 01/20/2026

SITE ADDRESS: 4093 MARIETTA ST; SUITE C
POWDER SPRINGS, GA 30127

NEAREST RESIDENCE: ±350'
4140 ATLANTA ST
POWDER SPRINGS, GA 30127

NEAREST SCHOOL: ±4,078'
COMPTON ELEMENTARY SCHOOL
3450 NEW MACLAND RD
POWDER SPRINGS, GA 30127

NEAREST PACKAGE STORE: ±2,432'
SEVEN SEAS BOTTLE SHOP
4121 AUSTELL POWDER SPRINGS RD
POWDER SPRINGS, GA 30127

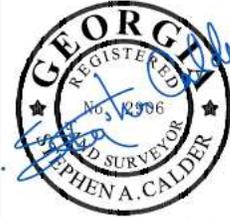
NEAREST LIBRARY: ±694'
POWDER SPRINGS LIBRARY
4181 ATLANTA ST
POWDER SPRINGS GA 30127

NEAREST PARK: ±1,357'
SILVER COMET LINEAR PARK
1301 RICHARD D SAILORS PKWY
POWDER SPRINGS, GA 30127

NEAREST CHURCH: ±1,081'
CALVARY BAPTIST CHURCH
3988 POWDER SPRINGS RD
POWDER SPRINGS, GA 30127

ALCOHOL TREATMENT CENTER: ±21,173'
THE POTTER'S WHEEL REHAB. CENTER
5604 WENDY BAGWELL PKWY STE 611
HIRAM, GA 30141

DISTANCE MEASURED BY A STRAIGHT LINE FROM THE NEAREST POINT OF THE PREMISES TO THE PROPERTY LINE OF THE SCHOOL, CHURCH, PARK, PUBLIC BUILDING, LIBRARY, OR RESIDENCE. (SEC. 3-120.(b)(2) POWDER SPRINGS, GEORGIA - CODE OF ORDINANCES)



01-22-2026

FOR THE FIRM
BOUNDARY ZONE, INC.
LSF #839

NOT VALID WITHOUT ORIGINAL SIGNATURE

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WWW.BOUNDARYZONE.COM
(770) 271-5772 / (919) 363-9226

Providing Services for
METRO ATLANTA,
RALEIGH-DURHAM &
CENTRAL FLORIDA.

800 SATELLITE BLVD.
SUWANEE, GA 30024

GRAPHIC SCALE - IN FEET



PROJECT
50454-01

SHEET
1 of 1

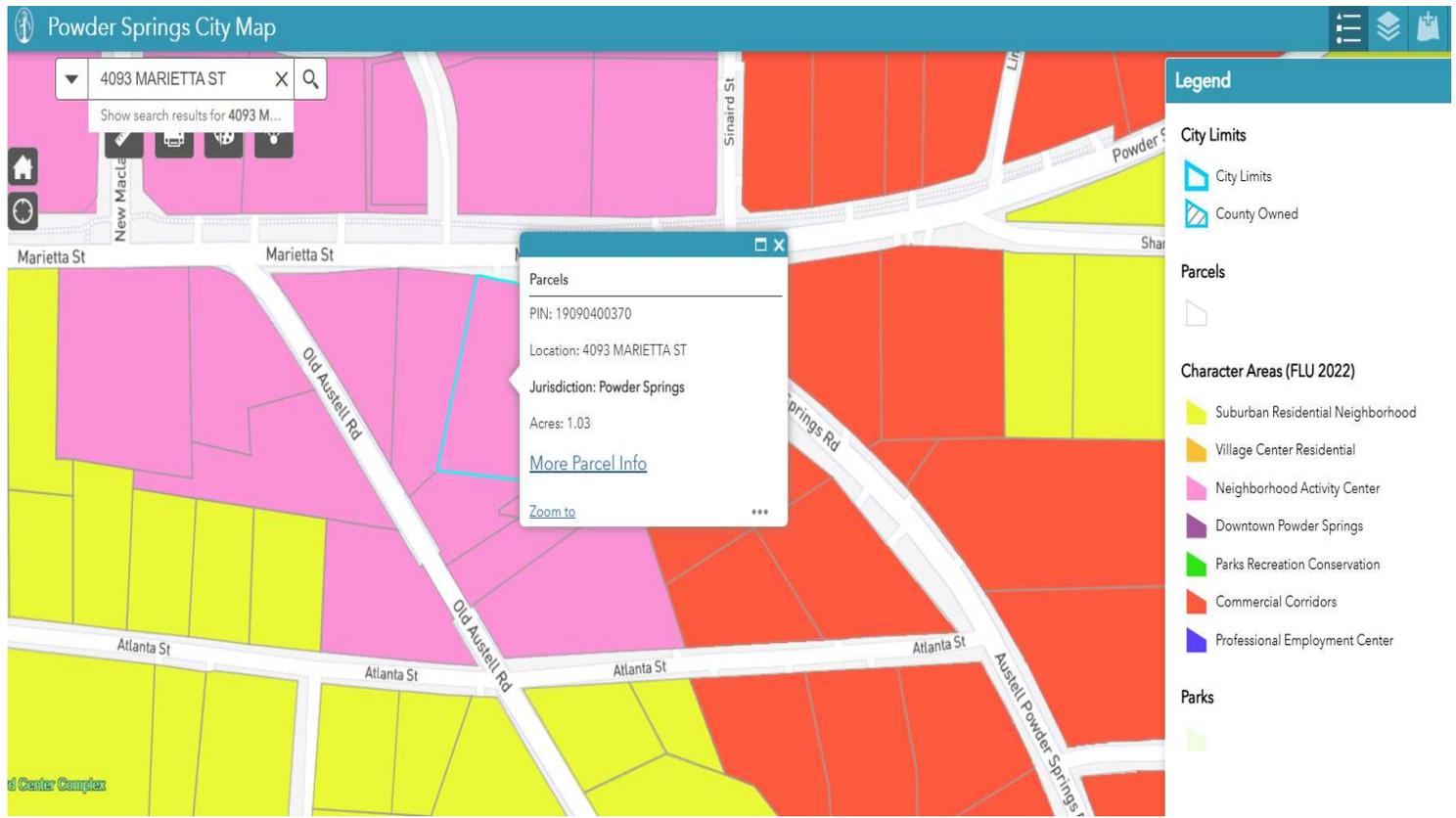


Figure 4: Future Land Use Map (FLUM)

ANALYSIS:

The application was reviewed against the following criteria:

- 1. Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?**

The CRC Zoning district is intended to implement the “community activity center” future development established by the Comprehensive Plan. The main intent of the CRC zoning district is to accommodate commercial uses serving a citywide or regional market. While package stores may be permitted as a special use within the CRC district, approval requires a determination that the use aligns with the overall intent of the district. In this case, the proposed package store may not introduce a use that supports longer visit times, or interaction with surrounding businesses. Given the properties’ location along a major corridor and its proximity to the downtown area, the proposed usage may not further the long-term planning goals for CRC designated properties.

2. Will the establishment of the special use not impede the normal and orderly development of the surrounding property for uses predominate in the area?

The surrounding area includes a mix of long-standing commercial uses, such as a gas station with accessory retail, a dry cleaner, and personal service establishments. While these uses are legally established, the proposed package store may not support reinvestment or advancement of the development pattern envisioned for the CRC district. As proposed, the use may likely maintain existing development patterns rather than encourage broader redevelopment of the surrounding properties.

3. Is the location and character of the proposed special use consistent with a desirable pattern of development in general?

The subject property is located along Marietta Street, which serves as a primary corridor leading into the heart of the City's downtown area. Development along this corridor plays an important role in shaping the overall character and the perception of the community. While the proposed use may occupy an existing commercial space, it may not add to the development pattern that supports community-oriented or destination-style uses typically encouraged in this area.

4. Is or will the type of street providing access to the use be adequate to serve the proposed special use?

Yes. The subject property has direct access to Marietta Street. The property has indirect access from Austell Powder Springs Road.

5. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?

The subject property may have adequate access for vehicular traffic; however, pedestrian access and circulation are limited. Pedestrian activity may occur in an area not designated to safely accommodate increased foot traffic.

6. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the proposed use?

Public, safety providers, and public utilities may have adequate capacity to serve the proposed special use.

7. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare, or odor?

Refuse, service, parking, and loading areas are existing and would remain unchanged. No exterior site improvements or changes in lighting have been proposed as part of this request. Any future lighting or site modifications shall comply with the City's Unified Development Code (UDC).

8. Will the hours and manner of operation of the special use have no adverse effects on the other properties in the area?

The applicant proposes 10:00am to 11:00pm on weekdays and 12:30p to 8:00pm on Sundays. Surrounding uses are primarily commercial. However, residential properties are located behind and across the street from the site. While the proposed hours are similar to some nearby businesses, staff notes that the hours may extend later into the evening than certain surrounding businesses.

9. Will the height, size or location of the buildings or other structures on the property be compatible with the height, size, or location of buildings, or other structures on neighboring properties?

The dimensional requirements are consistent with UDC, and compatible with commercial development that prevails in the subject area.

Staff Recommendation:

While the proposed package store may be permitted as a special use within the CRC zoning district, staff notes that, based on the survey provided by the applicant, a residentially zoned property (currently vacant) is located in proximity to the subject site and could be developed for residential occupancy in the future. Additionally, existing residential properties are located immediately adjacent to the subject parcel.

Given the proximity of residential zoning and established residences, staff recommend that, if the Special Use is approved, the following conditions be imposed:

- No security bars on exterior windows**
- No single-serving alcohol sales**

4/6/2026

Minutes
Planning and Zoning Work Session
January 8, 2026

Note: JoAnna Robinson transcribed these minutes. These minutes are a summation of the events of the meeting and not intended to be a verbatim transcription of the meeting.

John Partton convened the Planning & Zoning Commission work session at 7:00pm with the following members present: Pam Conner, James Taylor, Randall Madison, Roy Wade, Kristopher Boyd, Kelly Fisk with Wanda McDaniel coming in later in the session.

The Commission considered the following items:

Variance – PZ26-001, Variance – PZ26-002, and Special Use – PZ26-003

Owner/Applicant	Mendoza Jose Juan (Variance PZ26-001)
Location	3658 Ten Oaks Circle SW
Current Zoning	Medium Density Residential (MDR)
Proposed Use	Variance
Purpose	To build an addition of 75 sq ft to the living room and a 105 sq ft porch to the front of the subject property.

Mr. Jose introduced himself and presented his proposed use to build an addition to his property so that his family can further enjoy their space. He increased the size of the subject property’s living room and front porch.

Staff did mention that everything is built already and understand that Applicant is asking for a Variance. Staff also mentioned that the front set back is 20’ and is 35’ per our UDC code. Staff asked if there was a water or sewer line in the way, or if there were overhead utilities as well. The Applicant replied, “no”. The Applicant mentioned that Code Enforcement stopped their construction. The Applicant was asked if they had comments from their neighbors about this construction and Applicant replied “no.” Staff did let the Applicant know that they are three feet over their front set back line. No further questions from Commission or Staff.

Applicant was told by Staff that the Public Hearing was January 26, 2026 at 7:00pm and to please be a bit early in arrival to sign in.

Owner/Applicant	Stephanie Harris (Variance PZ26-002)
Location	4614 Stonewater Drive
Current Zoning	R-15C
Proposed Use	Variance
Purpose	To construct a second driveway on subject property.

The Applicant was not present at this time. Applicant never picked up their signs or sent their letters to their neighbors. They were advertised in the AJC newspaper. Commission agreed to withdraw Applicant.

Owner/Applicant	Jatinkumar Patel (Special Use PZ26-003)
Location	4093 Marietta Street Suite C
Current Zoning	Commercial Retail Commercial District (CRC)
Proposed Use	Special Use
Purpose	To obtain an alcohol license for a retail package store.

Mr. Patel introduced himself and presented his proposed use, to have a retail package store in the subject property. Mr. Patel mentioned that it will not be a large remodel. Planning and Zoning commission asked Applicant “Have you had a store before?” to which Applicant replied that they “had a package store for ten years in Rome, GA before selling it.” There was discussion pertaining to how many package stores the City of Powder Springs currently has. A specific number was not agreed upon by everyone.

The Applicant was asked why this location and he replied that he likes the area and believes that he will do well financially in this area. Mr. Patel believes that he will bring in \$2.5 – \$3 million dollars. His target goal is to bring in \$4-\$5 million dollars.

Planning and Zoning commission asked him “how are you going to stand out from the competition?” Applicant replied back “Liquor is a huge market.” They will have a variety of liquor and they are not trying to imitate Total Wine (a big box wine store).

Staff asked Applicant, “how long do you believe your buildout will take?” Applicant stated “One to one and a half months.” Planning and Zoning commission asked how many employees will you be employing? Mr. Patel replied “2 - 3 maybe 3 – 4” people on his staff.

Planning and Zoning commission asked if Applicant would be employing people that live in the City of Powder Springs and Applicant said he will place a For Hire sign and see who sees it.

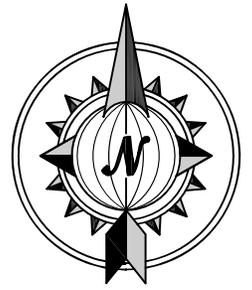
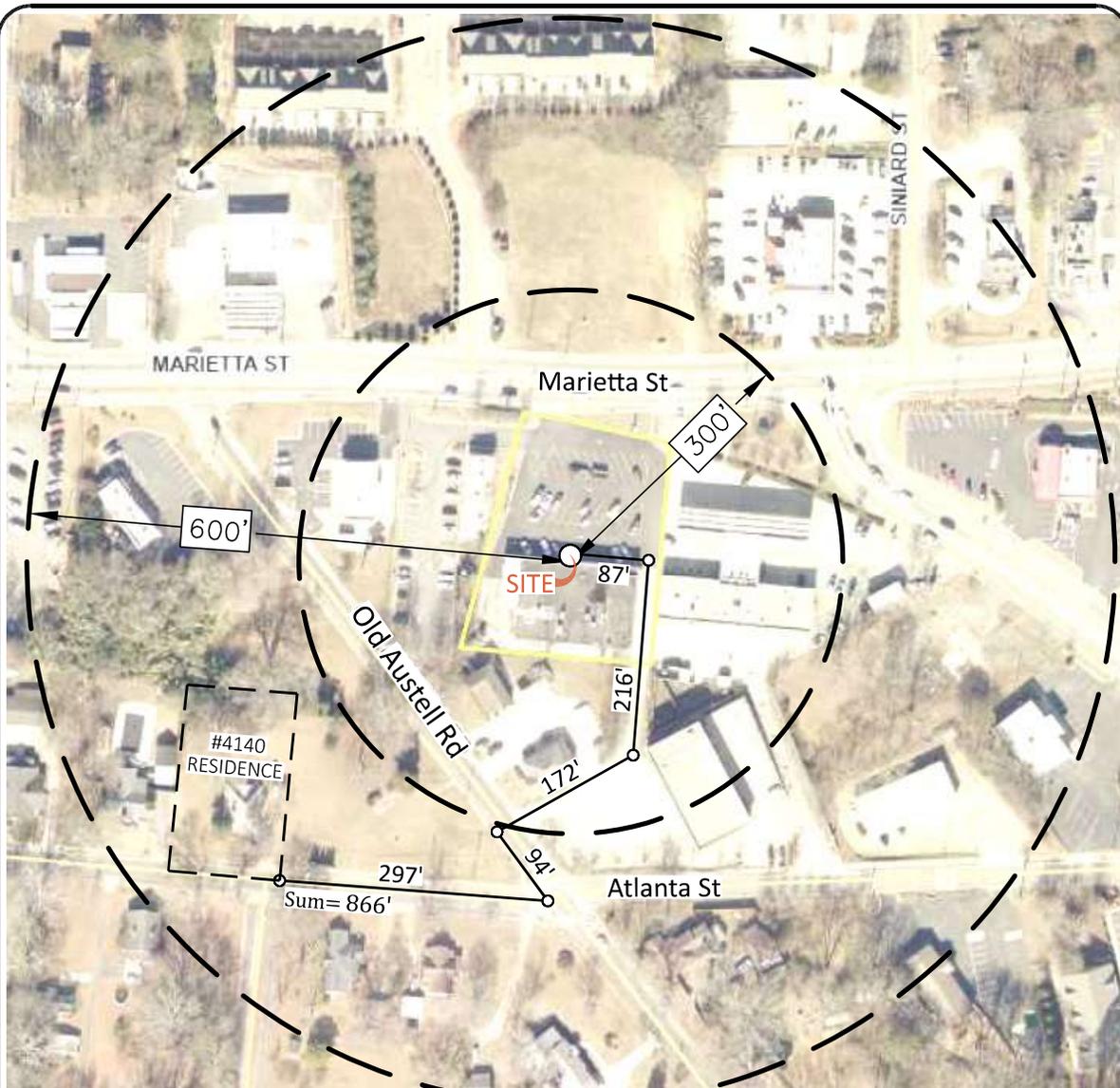
Staff said that there will be a hold until applicant gets approved for his alcohol license.

Planning and Zoning commission asked what are going to be the hours of operation? Mr. Patel replied “10am – 11pm on weekdays and 12:30p-8pm on Sunday.”

Pam did ask Staff if there are any churches or residential houses in the vicinity. John replied no there is a BP, but they do not sell liquor.

Staff told Mr. Patel that the hearing is January 26th at 7pm and to please be a bit early to sign in. Mr. Patel understood and left.

Miss Wanda McDaniel dismisses everyone at 7:48pm



MAGNETIC NORTH
SCALE: 1" = 200'

ALCOHOL PERMIT SURVEY

Prepared for: **POWDER EXPRESS, LLC**
 4093 MARIETTA STREET; SUITE C
 POWDER SPRINGS, GA 30127
 LAND LOT 904 of the 19th DISTRICT, 2nd SECTION
 COBB COUNTY, GEORGIA - 03/04/2026

SITE ADDRESS: 4093 MARIETTA ST; SUITE C
 POWDER SPRINGS, GA 30127

NEAREST SCHOOL: ±4,525'
 POWDER SPRINGS ELEMENTARY SCHOOL
 4570 GRADY GRIER DR
 POWDER SPRINGS, GA 30127

NEAREST PARK: ±1,911'
 SILVER COMET LINEAR PARK
 1301 RICHARD D SAILORS PKWY
 POWDER SPRINGS, GA 30127

NEAREST PACKAGE STORE: ±2,981'
 SEVEN SEAS BOTTLE SHOP
 4121 AUSTELL POWDER SPRINGS RD
 POWDER SPRINGS, GA 30127

NEAREST CHURCH: ±1,157'
 CALVARY BAPTIST CHURCH
 3988 POWDER SPRINGS RD
 POWDER SPRINGS, GA 30127

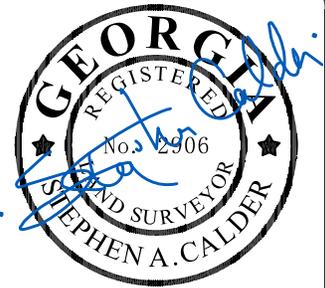
NEAREST RESIDENCE: ±866'
 4140 ATLANTA ST
 POWDER SPRINGS, GA 30127

NEAREST LIBRARY: ±1,086'
 POWDER SPRINGS LIBRARY
 4181 ATLANTA ST
 POWDER SPRINGS, GA 30127

ALCOHOL TREATMENT CENTER: ±24,816'
 THE POTTER'S WHEEL REHAB. CENTER
 5604 WENDY BAGWELL PKWY STE 611
 HIRAM, GA 30141

"Distance means, unless otherwise specified in this chapter, the measure in lineal feet of the most direct route of travel on the ground by a pedestrian from the center of the nearest door of customer entry of the proposed license premises to the nearest property line of the church, school, park, public building, library, or residence."
 (SEC. 3-2.(b) POWDER SPRINGS, GEORGIA - CODE OF ORDINANCES)

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03-04-2026

FOR THE FIRM
 BOUNDARY ZONE, INC.
 LSF #839

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800 SATELLITE BLVD.
 SUWANEE, GA 30024

GRAPHIC SCALE - IN FEET



PROJECT
 50454-01

SHEET
 1 of 1

In Georgia, state law generally requires new retail package liquor stores to be located at least 100 yards (300 feet) from churches and 200 yards (600 feet) from schools, colleges, and school grounds. Many local jurisdictions enforce stricter requirements, often requiring 1,500 feet or more between package stores and specific distances from other establishments.



Georgia.gov +5

Key location requirements and measurements:

- **Distance between Package Stores:** Often 1,500 feet (e.g., Atlanta) or up to one mile in certain counties (e.g., Columbia County).
- **Churches:** Minimum 100 yards (300 feet).
- **Schools/Colleges:** Minimum 200 yards (600 feet).
- **Measurement Method:** Distances are generally measured by the most direct route of travel on the ground, starting from the front door of the establishment to the nearest public sidewalk/street, and then to the property line of the church/school.



Georgia.gov +5

Note: Local ordinances (city/county) may differ from state law and often take precedence if they are stricter, so always check local municipal codes.



city of
powder springs
Special Use Request
Application Form

Applicant Information

Name	JATINKUMAR PATEL	Phone	[REDACTED]
Mailing Address	5128 EDGEHILL WAY NW ACWORTH GA 30101	Email	[REDACTED]

Special Use Request Property Information

Address	4093 MARIETTA STREET STE C POWDER SPRINGS GA 30127	Parcel ID / Lot#	19090400370	Acreage	
Present Zoning		Special Use Request			
Source of Water Supply	COBB COUNTY WATER DEPARTMENT	Source of Sewage Disposal	COBB COUNTY DEPARTMENT		
Peak Hour Trips Generated		Source of Trip Information			

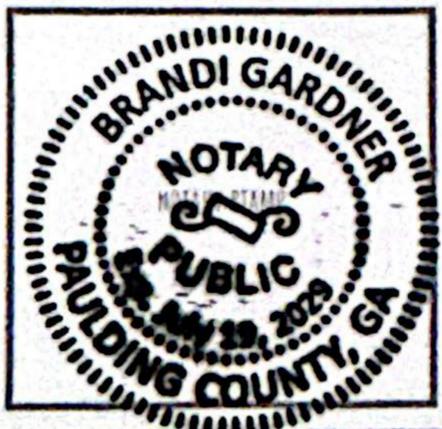
Additional Information, If Applicable

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

Notary Attestation

Executed in Powder Springs (City), GA (State)

<u>[Signature]</u> Signature of Applicant	<u>Jatinkumar Patel</u> Printed Name	<u>12/8/2025</u> Date
Subscribed and sworn before me this <u>8</u> day of <u>December</u> 20 <u>25</u>		
<u>[Signature]</u> Signature of Notary Public	<u>Brandi Gardner</u> Name of Notary Public	<u>7/19/29</u> My Commission Expires



For Official Use Only

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

 city of powder springs
Special Use Request
Notice of Intent

Applicant Information

Name	JATINKUMAR PATEL	Phone	[REDACTED]
Mailing Address	5128 EDGEHILL WAY NW ACWORTH GA 30101	Email	[REDACTED]

Notice of Intent

PART I. Please indicate the purpose of this application :
TO OBATAIN ALCOHOL LICENSE FOR RETAIL PACKAGE STORE

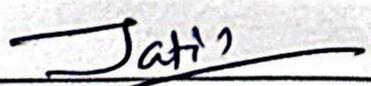
PART II. Please list all requested variances:
NONE

Part III. Existing use of subject property:
CLOSED BAR AND RESTAURANT

Part IV. Proposed use of subject property:
RETAIL LIQUOR STORE

Part V. Other Pertinent Information (List or attach additional information if needed):
NONE

Applicant Signature

	JATINKUMAR PATEL	12/5/2025
Signature of Applicant	Printed Name	Date



city of
powder springs
Special Use Request
Owner's Authorization Form

Owner's Authorization

Applicant Name Jatinkumar Patel Applicant's Address 5128 Edgehill way NW Acworth

Property Address 4093 Marietta street ste C Powder Springs, GA Property PIN _____

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:

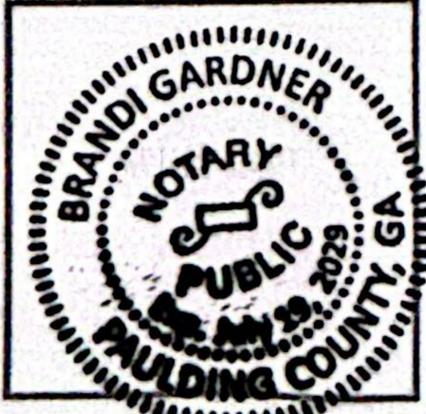
Rezoning <input type="checkbox"/>	Special Use <input checked="" type="checkbox"/>	Hardship Variance <input type="checkbox"/>
Special Exception <input type="checkbox"/>	Flood Protection Variance <input type="checkbox"/>	Appeal of Administrative Decision <input type="checkbox"/>

Signature of Property Owner(s)

Ami Patel Ami Patel 12/8/2025
Signature of Owner Printed Name Date

State of GA, County of Dobb
This instrument was acknowledged before me this 8 day of December month.
2025 by Ami Patel name of signer. Identification Presented: Known Customer

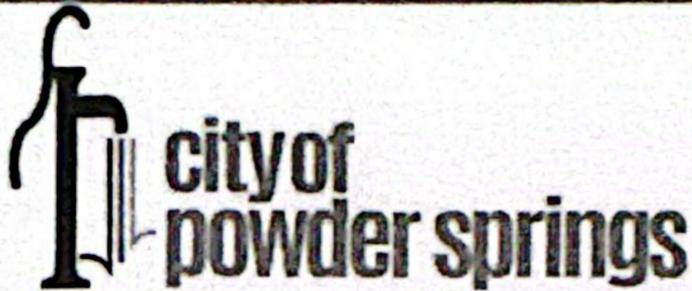
Brandi Gardner Brandi Gardner 7/19/29
Signature of Notary Public Name of Notary Public My Commission Expires



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



Special Use 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.
4181 Atlanta Street
Powder Springs GA 30127.
commdev@cityofpowdersprings.org
770-943-1666

Zoning Administrator
Shaun Myers
Planning and Zoning Manager
smyers@cityofpowdersprings.org
770-943-1666



city of
powder springs
Special Use Request
Application Checklist

Applicant Information

Name	JATINKUMAR PATEL	Phone	[REDACTED]
Mailing Address	5128 EDGEHILL WAY NW ACWORTH GA 30101	Email	[REDACTED]

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.



Nguyen Crystal & Duoc
3941 Old Austell Rd
Powder Springs, GA, 30127

Sakss Marietta Llc
970 Peachtree Ind Blvd Ste 17
Suwanee, GA, 30024

Marjai Llc
1306 Cobb Industrial Dr
Marietta, GA, 30066

4093 Powder Llc
5128 Edgehill Way Nw
Acworth, GA, 30101

301 West Taylor Street Llc
403 W Ponce De Leon Ave Suite 206
Decatur, GA, 30030

Ziven Powder Springs Llc
3930 Austell Powder Springs Rd
Powder Springs, GA, 30127

301 West Taylor Street Llc
403 W Ponce De Leon Ave Suite 206
Decatur, GA, 30030

Enclave At Powder Springs Neighborhood Association Inc
8295 Hwy 92
Woodstock, GA, 30189

Nguyen Crystal & Duoc
4851 Devonhurst Chase
Powder Springs, GA, 30127

Marjai Llc
1306 Cobb Industrial Dr
Marietta, GA, 30066

301 West Taylor Street Llc
403 W Ponce De Leon Ave Suite 206
Decatur, GA, 30030

Enclave At Powder Springs Neighborhood Association Inc
C/o Tolley Community Management Company 8295 Hwy 92
Woodstock, GA, 30189

Short Spring Of Georgia Llc
197 N Springs Way
Acworth, GA, 30101

Dupree James Walter Jr
5065 Furlong Way
Powder Springs, GA, 30127

Kingston Family Properties Llc
630 Friendship Church Rd
Powder Springs, GA, 30127

W H Capital Llc Attn Tax Department
Po Box 6450
Norcross, GA, 30091

TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: ROSE MILLER

Printed at 02/04/26 12:36 by rmill-tj

Acct #: 110102

Ad #: 535151

Status: New WHOLD

CITY OF POWDER SPRINGS
KELLY AXT
PO BOX 46
POWDER SPRINGS GA 30073

Start: 02/06/2026 Stop: 02/06/2026
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.79 Words: 200
Total LEG 2.79

Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00

Ad Descrpt: PH-9683 SPECIAL USE
Descr Cont: MDJ-9683 GPN-16 NOTICE OF
Given by: KERISHA BLACK

Contact:

Phone: (770)943-1666

Fax#:

Email: kaxt@powderspringsga.gov; PC

Agency:

P.O. #: SPECIAL USE

Created: rmill 02/04/26 12:33

Last Changed: rmill 02/04/26 12:35

PUB ZONE EDT TP RUN DATES
MDJ A 95 S 02/06

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

MDJ-9683
GPN-16
NOTICE OF PUBLIC HEARING
City of Powder Springs
SPECIAL USE

Notice is hereby given to consider a Special Use Request to allow alcohol to be served at a package store. Located at 4093 Marietta St Ste C, within land lot 904, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19090400370. The application was considered by the Planning and Zoning Commission at its work session on Thursday, January 8th, 2026, at 7:00 pm. The application will be considered at its public hearing on Monday, February 23th, 2026, at 7:00 pm and by the Mayor and Council at its work session on Wednesday, February 25th, 2026, at 5:00 pm and its public hearing on Monday, March 2nd, 2026, at 7:00 pm. All meetings will be held at City Hall located at 4483 Pineview Dr, Powder Springs GA 30127. If applicable, Zoom links will be available at www.powderspringsga.gov. Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing and to sign in 20 minutes prior to the scheduled public hearing at city hall.

2:6-2026

TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: KELLY HICKS

Printed at 12/23/25 12:15 by khick-tj

Acct #: 110102

Ad #: 527514

Status: New WHOLD

CITY OF POWDER SPRINGS
KELLY AXT
PO BOX 46
POWDER SPRINGS GA 30073

Start: 01/02/2026 Stop: 01/02/2026
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.71 Words: 200
Total LEG 2.71

Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00

Ad Descrpt: PH-8853 SPECIAL USE

Descr Cont: MDJ-8853 GPN-16 NOTICE OF
Given by: KERISHA BLACK

P.O. #: 4093 MARIETTA ST

Contact:

Phone: (770)943-1666

Fax#:

Email: kaxt@powderspringsga.gov; PC

Created: khick 12/23/25 12:13

Agency:

Last Changed: khick 12/23/25 12:15

PUB ZONE EDT TP RUN DATES
MDJ A 95 S 01/02

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

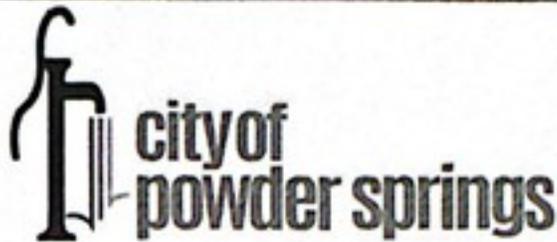
Name (print or type)

Name (signature)

MDJ-8853
GPN-16
NOTICE OF PUBLIC HEARING
City of Powder Springs
SPECIAL USE

Notice is hereby given to consider a Special Use Request to allow alcohol to be served at a package store. Located at 4093 Marietta St Ste C, within land lot 904, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19090400370. The application will be considered by the Planning and Zoning Commission at its work session on Thursday, January 8th, 2026 at 7:00pm, at its public hearing on Monday, January 26th, 2026, at 7:00 pm and by the Mayor and Council at its work session on Wednesday, January 28th, 2026, at 5:00 pm and its public hearing on Monday, February 2nd, 2026, at 7:00 pm. All meetings will be held at City Hall located at 4483 Pineview Dr, Powder Springs GA 30127. If applicable, Zoom links will be available at www.powderspringsga.gov. Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing and to sign in 20 minutes prior to the scheduled public hearing at city hall.

1:2-2026



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 4093 Marietta St Ste C Powder Springs GA 30127

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 December 23rd, 2025. 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 January 26th 2026. 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 Powder Springs GA (State).

Jatinkumar Patel
Signature of Applicant

Jatinkumar Patel
Printed Name

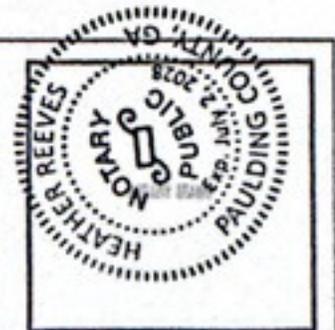
12/23/2025
Date

Subscribed and sworn before me this 3 day of 12 2025

Heather Reeves
Signature of Notary Public

Heather Reeves
Name of Notary Public

7-2-2028
My Commission Expires



December 23rd, 2025

Jatinkumar Patel
4093 Marietta St STE C
Powder Springs GA 30127

RE: Special Use to allow the sale of alcohol for a package store. Located at 4093 Marietta St, within land lot 904 on the 19th District, 2nd section, Cobb County Georgia. PIN: 19090400370. Applicant: Jatinkumar Patel.

Dear Neighbors:

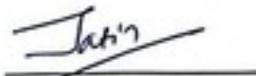
The application will be heard before the Planning and Zoning Commission, and Mayor and City Council on the following dates:

- Planning and Zoning Commission: **Thursday, January 8th, 2026** at 7:00 PM (Agenda Meeting)
- Planning and Zoning Commission: **Monday, January 26th, 2026** (Public Hearing) at 7:00 pm.
- Mayor and City Council: **Wednesday January 28th 2026** at 5pm (Agenda Meeting)
- Mayor and City Council: **Monday, February 2nd, 2026** (Public Hearing) at 7:00 pm

Please visit our website at www.cityofpowdersprings.org for ZOOM links, physical meeting location details, and additional information and instructions. Any changes to our meetings will also be updated on our website.

Should you have any questions please feel free to contact the City of Powder Springs at 770-943-1666 extension 307, or email Kerisha Black kblack@cityofpowdersprings.org. At the City of Powder Springs.

Thank you,


Applicant



SPECIAL USE NOTICE
Application has been made for special use approval
on the property, 1000 N. 10th St.
To be heard by the City of Houston Heights
Planning Commission
on January 24, 2024 at 7:00 PM
and by the Board and City Council
on January 31, 2024 at 7:00 PM
Contact: Carlos, 281.223.7100 ext. 301
carlos@cityofhouston.com