



**city of
powder springs**

Rezoning Request

Application Checklist

Applicant Information

Name ***Traton, LLC**

Phone

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

Email

lpride@tratonhomes.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: 2024 Cobb County Property 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.

*See Exhibit "A" for Contact Information for Applicant, Property Owners, and Representative.



city of powder springs

Rezoning Request Application Form

Applicant Information

Name	*Traton, LLC	Phone	[REDACTED]
Mailing Address	720 Kennesaw Avenue, Marietta, GA 30060	Email	[REDACTED]

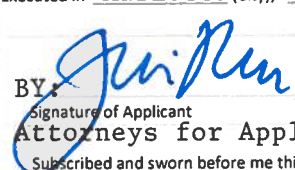
Rezoning Request Property Information

Address	Old Horseshoe Bend Road	Parcel ID / Lot#	19069100010 19069100070	Acreage	9.3+/-
Present Zoning	R-20 (Cobb County)	Proposed Zoning	PUD-R (City of Powder Springs)		
Source of Water Supply	Cobb County Water	Source of Sewage Disposal	Cobb County Water & Sewer		
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 <u>Marietta</u> (City), <u>GA</u> (State).			
BY: 	J. Kevin Moore	March 25, 2025	
Signature of Applicant	Printed Name	Date	
Attorneys for Applicant and Property Owners			
Subscribed and sworn before me this <u>25</u> day of <u>March</u> , 20 <u>25</u>			
	Carolyn E. Cook	January 10, 2027	
Signature of Notary Public	Name of Notary Public	My Commission Expires	

*See Exhibit "A" for Contact Information for Applicant, Property Owners, and Representative.

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 ***Traton, LLC**

Phone [REDACTED]

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

Email [REDACTED]

Notice of Intent

PART I. Please indicate the purpose of this application :

The purpose of this Application for Rezoning is to rezone and develop the Property into a single-family residential community.

PART II. Please list all requested variances:

See attached List of Variances.

Part III. Existing use of subject property:

The Property is undeveloped.

Part IV. Proposed use of subject property:

Single-family residential community containing a maximum of forty (40) residences, common area, and open space areas.

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

The Property is immediately adjacent to the easterly right-of-way of Barrett Parkway, which is a major multi-lane corridor for Cobb County. Additionally, the most southerly portion of the Property is traversed by a 20 foot sanitary sewer easement and a stream, which decreases the developable area of the Property. The proposed zoning category and layout sought by Applicant takes these features into consideration to allow for a quality community which preserves the uniqueness of the Property.

Applicant Signature

BY: 

Signature of Applicant

***Traton, LLC/J. Kevin Moore**

Printed Name

March 25, 2025

Date

Attorneys for Applicant and Property Owners

*See Exhibit "A" for Contact Information for Applicant, Property Owners, and Representative.

Form Version: 06152020

**city of
powder springs**
Rezoning Request
Applicant's Written Analysis

Applicant Information

Name ***Traton, LLC**

Phone

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

Email

Written Analysis

In details please address these Rezoning Criteria:

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

The proposed PUD-R zoning district is compatible with the purposes and intent of the City's Comprehensive Plan as the proposed development will provide quality housing; as well as, allow residential zoning and development to be adjacent to similar developments.

- 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 PUD-R zoning classification, and the proposed, quality single-family residential community, are suitable uses for the Subject Property in view of uses of the surrounding properties. Adjacent and surrounding properties are primarily residential uses. The proposed community would be a quality development consistent with surrounding neighborhoods.

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

No adjacent or nearby properties will be adversely or negatively impacted by rezoning the Subject Property to the proposed PUD-R zoning classification and development of a quality single-family residential community.

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

The proposed PUD-R zoning classification within the City of Powder Springs will allow for a higher and better use of the Subject Property than as currently zoned within Cobb County.

- 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.

There is adequate public facilities and infrastructure in place to sufficiently service the proposed single-family residential community.

- 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 existing R-20 zoning does not reflect changing conditions of the surrounding area. If the Property were developed pursuant to the existing R-20 (Cobb) classification, the surrounding communities may be adversely impacted.

- 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 PUD-R zoning classification, together with the quality single-family residential community, is a more reasonable use of the Property, and provides a better overall promotion of public health, safety, morality and general welfare of area residents and neighborhoods.

Applicant Signature

BY: 
Signature of Applicant

***Traton, LLC/J. Kevin Moore**
Printed Name

March 25, 2025
Date

Attorneys for Applicant and Property Owners

Form Version: 06152020

*See Exhibit "A" for Contact Information for Applicant, Property Owners, and Representative.



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 **Moore Ingram Johnson & Steele, LLP - J. Kevin Moore**

Attorney's Address **326 Roswell Street, Emerson Overlook - 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

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:

Estate of Lucille Garrett (a/k/a Leathy Lucille Garrett)

Floy A. Clonts

William D. (Donald) Brown

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
<u>None</u>	<u>Not Applicable</u>	<u>Not Applicable</u>

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
<u>None</u>	<u>Not Applicable</u>	<u>Not Applicable</u>

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

Owner's Authorization

Applicant Name ***Traton, LLC**

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

Property Address **Old Horseshoe Bend Road**, Powder Springs, GA Property PIN **19069100010**

Administrator of the Estate who is

This is to certify that ~~XXXXXXXXXXXX~~ I am ☒ the ~~Authorized Representative of the Corporation~~ the owner ~~XXXXXXXXXX~~
~~XXXXXX~~ of 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)

ESTATE OF LUCILLE GARRETT

BY:

Signature of Owner

Floy A. Clonts

Floy A. Clonts, Administrator March , 2025
Printed Name with will annexed

State of GA, County of Paulding

This instrument was acknowledged before me this 21st day of March

20 25, by Floy A. Clonts Identification Presented:

Jennifer Horsley *Jennifer Horsley* 3/05/2027
Signature of Notary Public Name of Notary Public My Commission Expires



Floy A. Clonts
Signature of Owner

Floy A. Clonts
Printed Name

Date 3/21/2025

State of GA County of Paulding

This instrument was acknowledged before me this 21st day of March

20 25, by *Jennifer Horsley* Identification Presented: yes

Jennifer Horsley *Jennifer Horsley* 3/05/2027
Signature of Notary Public Name of Notary Public My Commission Expires





Rezoning Request Owner's Authorization Form

Owner's Authorization

Applicant Name ***Traton, LLC**

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

Property Address **Old Horseshoe Bend Road** Powder Springs, GA

Property PIN **19069100070**

This is to certify that I am ~~XXXXXX~~ the authorized representative of a corporation that is the owner of ~~XXXXXX~~ ~~XXXXXX~~ of ~~XXXXXX~~ 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)

William D. Brown
Signature of Owner

William D. Brown
Printed Name

March 24, 2025
Date

State of GA, County of Cobb.

This instrument was acknowledged before me this 24th day of March,

2025, by William D. Brown. Identification Presented: Personal Knowledge

Carolyn E. Cook
Signature of Notary Public

Carolyn E. Cook
Name of Notary Public

January 10, 2027
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