



Variance Request Application Checklist

Applicant Information

Name	*David Pearson Communities, Inc.	Phone	(770) 321-5032; *(770) 429-1499
Mailing Address	Suite 400, 2000 First Drive, Marietta, GA 30062	Email	doug@davidpearsoncommunities.com; *jkm@mijs.com

Application Checklist

The following information will be required:

- Application
- Notice of Intent
- Applicant's Written Analysis
- Campaign Contribution Disclosure
- Owner's Authorization, if applicable.
- Legal Description and Survey Plat of the property
- Application Fee (summary of fees attached)
- Copy of the Deed that reflects the current owners name
- Vicinity Map outlining the parcel/s in relation to the surrounding area
- 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.
- Sketch Plan/ Architectural Rendering, if applicable
- Traffic Study required for development with 500,000 sf of nonresidential floor area or 350 dwelling units or more.

List additional attachments: 2021 Cobb County Paid Tax Receipts

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 Applicant's and Property Owners' Representative Information



city of powder springs
Variance Request
Application Form

Applicant Information

Name *David Pearson Communities, Inc.	Phone (770) 321-5032; *(770) 429-1499
Mailing Address Suite 400, 2000 First Drive, Marietta, GA 30062	Email doug@davidpearsoncommunities.com; *jkm@mijis.com

Variance Request Property Information

Address 5550 Story Road (north and south parcels); 5556 Story Road	Parcel ID / Lot# 19088300010; 19088300150
Acreage 49.771+/-	Present Zoning R-30 (Cobb County)
Variance Request <small>(1) Reduce required open space from 40 percent to 20 percent of the Subject Property; (2) Reduce minimum side setback from ten feet to five feet.</small>	
Source of Water Supply Cobb County Water	Source of Sewage Disposal Cobb County Water & Sewer

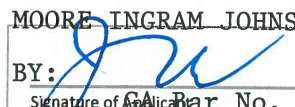
Additional Information, If Applicable

Elementary School and School's Capacity Powder Springs Elementary - 110 under	Middle School and School's Capacity Cooper Middle School - 115 under
High School and School's Capacity McEachern High School - 93 under	Peak Hours Trips Generated

Notary Attestation

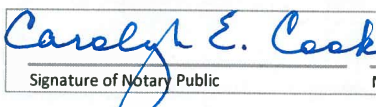
Executed in Marietta (City), GA (State).

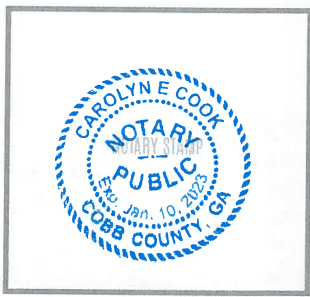
MOORE INGRAM JOHNSON & STEELE, LLP

BY:  <u>J. Kevin Moore</u>	<u>February 8, 2022</u>
<small>Signature of Applicant</small> <u>Bar No. 519728</u> <small>Printed Name</small>	<small>Date</small>

Attorneys for Applicant and Property Owner

Subscribed and sworn before me this 8th day of February, 2022

 <u>Carolyn E. Cook</u>	<u>February 8, 2022</u>
<small>Signature of Notary Public</small>	<small>Name of Notary Public</small>
	<small>My Commission Expires</small>



***See attached Exhibit "A" for Applicant's and Property Owners' Representative Information 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 *David Pearson Communities, Inc.	Phone (770) 321-5032; *(770) 429-1499
Mailing Address Suite 400, 2000 First Drive, Marietta, GA 30062	Email doug@davidpearsoncommunities.com; *jkm@mijs.com

Notice of Intent

PART I. Please indicate the purpose of this application :

The purpose of this Application for Variance is to obtain two variances to allow for development of the Subject Property to the R-15 Conservation zoning category.

PART II. Please list all requested variances:

(1) Reduce the required open space from 40 percent to 20 percent of the Subject Property;

(2) Reduce minimum side setback from ten (10) feet to five (5) feet.

Part III. Existing use of subject property:


The Property is undeveloped; excepting only one single residence.

Part IV. Proposed use of subject property:

Single-family residential community.

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

Applicant Signature

MOORE INGRAM JOHNSON & STEELE, LLP		
BY: 	*David Pearson Communities, Inc./J. Kevin Moore	February 8, 2022
Signature of Applicant No. 519728	Printed Name	Date

Attorneys for Applicant and Property Owners

*See Attached Exhibit "A" for Applicant's and Property Owners' Representative Information



Variance Request

Applicant's Written Analysis

Applicant Information

Name ***David Pearson Communities, Inc.**

Phone **(770) 321-5032; *(770) 429-1499**

Mailing Address **Suite 400, 2000 First Drive, Marietta, GA 30062**

Email **doug@davidpearsoncommunities.com; *jkm@mijis.com**

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.

The Property is burdened with streams and environmentally sensitive areas. These areas have been delineated and are fully protected.

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.

Of particular note, the adjacent Cameron Springs Subdivision, annexed and rezoned by the City, is not held to such restrictive requirements.

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

The granting of the requested variances will not confer any special privileges upon the Subject Property or the proposed single-family residential community other than those allowed under the proposed R-15 Conservation category.

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.

The requested variances will be in harmony with the purpose and intent of the Unified Development Code; and further, will not be injurious to the neighborhood or to the general welfare of the public.

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

The circumstances resulting in the requested variances are not a result of Applicant's actions; but rather, are a result of attempting to adhere to development standards for a high-quality residential community.

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

The proposed variances are the minimum variances required for development of the Subject Property.

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.

The variances requested will not permit a use of the Subject Property which is not permitted by right in the R-15 Conservation zoning district.

Applicant Signature

MOORE INGRAM JOHNSON & STEELE, LLP

BY:


Signature of Applicant No. 519728

*David Pearson Communities, Inc./J. Kevin Moore

Printed Name

February 8, 2022

Date

Attorneys for Applicant and Property Owners



city of powder springs

Variance Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name *David Pearson Communities, Inc.

Applicant's Address Suite 400, 2000 First Drive, Marietta, GA 30060

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

Attorney's Address Emerson Overlook, 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

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:

Assemblies of God Foundation, Trustee of	Naomi Leah Storey
The James R. Storey Charitable Remainder Unitrust	
James Roy Storey (a/k/a James R. Storey)	

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

Variance Request Owner's Authorization Form

Owner's Authorization

Applicant Name *David Pearson Communities, Inc.	Applicant's Address Suite 400, 2000 First Drive, Marietta, GA 30062
Property Address 5550 Story Road (north and south parcels); 5556 Story Road	Property PIN 19088300010; 19088300150

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"/>	Special Use Variance <input checked="" 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)

_____ 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	

_____ 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 VARIANCE

Application No.: _____
Planning Commission Hearing: _____, 2022
Mayor and City Council Hearing: _____, 2022

Applicant: David Pearson Communities, Inc.
Titleholders: James Roy Storey (a/k/a James R. Storey) and
Assemblies of God Foundation,
a Missouri corporation, Trustee of
The James R. Storey Charitable Remainder
Unitrust (an irrevocable trust)

Applicant's and Property Owners' 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@mij.com

**JAMES R. STOREY PROPERTY
(NORTHERN TRACT)**

All that tract or parcel of land lying and being in Land Lots 820, 821, 882 and 883 of the 19th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set (#4 rebar w/cap) located on the northwesterly right-of-way of Story Road (50' right-of-way) said iron pin being located 375.79 feet from the intersection of the said northwesterly right-of-way of Story Road and the northeasterly right-of-way of Hiram Lithia Springs Road (50' right-of-way) as measured in a northeasterly direction along the said northwesterly right-of-way of Story Road; having thus established the **TRUE POINT OF BEGINNING** leaving said point and right-of-way and running $N00^{\circ}04'49''E$ for a distance of 150.61 feet to an iron pin set (#4 rebar w/cap); thence running $N00^{\circ}02'19''W$ for a distance of 283.00 feet to an iron pin set (#4 rebar w/cap); thence running $N00^{\circ}14'42''E$ for a distance of 186.55 feet to an iron pin found (3/4" crimped-top-pipe); thence running $N00^{\circ}47'38''W$ for a distance of 232.73 feet to an iron pin found (1/2" open-top-pipe) located on the common line between Land Lot 883 and 820 of the said 19th District; thence leaving said Land Lot Line and running $N00^{\circ}56'49''W$ for a distance 208.27 feet to an iron pin found (#4 rebar); thence running $N00^{\circ}49'40''W$ for a distance of 34.61 feet to an iron pin found (#4 rebar); thence running $N00^{\circ}54'28''W$ for a distance of 134.42 feet to an iron pin found (#4 rebar disturbed); thence running $N00^{\circ}56'47''W$ for a distance of 139.74 feet to an iron pin found (1/2" open-top-pipe); thence running $N86^{\circ}08'37''W$ for a distance of 97.61 feet to an iron pin found (#4 rebar); thence running $N01^{\circ}22'21''E$ for a distance of 139.94 feet to an iron pin found (1/2" open-top-pipe); thence running $N00^{\circ}24'42''E$ for a distance of 38.82 feet to an iron pin found (#4 rebar); thence running $S85^{\circ}25'25''E$ for a distance of 741.51 feet to an iron pin

set (#4 rebar); thence running $S88^{\circ}38'59''E$ for a distance of 680.39 feet to an iron pin found (#4 rebar); thence running $S00^{\circ}23'53''W$ for a distance of 819.02 feet to an iron pin set located on the northwesterly right-of-way of said Story Road; thence running in a generally southwesterly direction along and following the northwesterly right-of-way of said Story Road for the following courses and distances: running thence $S58^{\circ}49'02''W$ for a distance of 225.83 feet to a point; thence running in a southwesterly direction along a curve to the left for an arc length of 307.99 feet (said arc being subtended by a chord of $S58^{\circ}15'23''W - 307.99$ feet and having a radius of 18,878.22 feet) to a point; thence running $S56^{\circ}40'03''W$ for a distance of 171.30 feet to a point; thence running in a southwesterly direction along a curve to the right for an arc length of 237.07 feet (said arc being subtended by a chord of $S61^{\circ}57'46''W - 236.38$ feet to a point and having a radius of 896.02 feet) to a point; thence running $S70^{\circ}26'51''W$ for a distance of 98.34 feet to a point; thence running in a southwesterly direction along a curve to the left for an arc length of 322.52 feet (said arc being subtended by a chord of $S71^{\circ}03'25''W - 322.50$ feet and having a radius of 7,348.08 feet) to a point; thence running $S69^{\circ}28'26''W$ for a distance of 111.62 feet to an iron pin set (#4 rebar) which is the **TRUE POINT OF BEGINNING**. Said tract contains ± 37.092 acres ($\pm 1,615,730$ sq. ft.)

**JAMES R. STOREY PROPERTY
(SOUTHERN TRACT)**

All that tract or parcel of land lying and being in Land Lots 821 and 882 of the 19th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at a point located at the intersection of the southeasterly right-of-way of Story Road (50' right-of-way) and the easterly right-of-way of Riding Woods Drive (50' right-of-way); having thus established the **TRUE POINT OF BEGINNING** leaving said point and running in a generally northeasterly direction along and following the southeasterly right-of-way of said Story Road for the following courses and distances: thence running in a northeasterly direction along a curve to the left for an arc length of 59.85 feet (said arc being subtended by a chord of N56°15'24"E – 59.84 feet and having a radius of 946.02 feet) to a point; thence running N56°40'03"E for a distance of 169.83 feet to a point; thence running in a northeasterly direction along a curve to the right for an arc length of 306.70 feet (said arc being subtended by a chord of N58°15'25"E – 306.70 feet and having a radius of 18,828.22 feet) to a point; thence running N58°49'02"E for a distance of 368.51 feet to a point; thence running in a northeasterly direction along a curve to the left for an arc length of 165.52 feet (said arc being subtended by a chord of N54°35'06"E – 165.35 feet and having a radius of 1035.60 feet) to a point; thence running N48°23'48"E for a distance of 111.58 feet to an iron pin set (#4 rebar w/cap); thence leaving said right-of-way and running S00°31'40"W for a distance of 157.03 feet to an iron pin set (#4 rebar); thence running S89°44'01"E for a distance of 300.00 feet to an iron pin found (#4 rebar) located on the common line between Land Lot 882 and 881, said iron pin being located S00°33'37"W a distance of 96.01 feet from an iron pin found (1" open-top-pipe) which is the common corner of Land Lots 821, 822, 881 and 882 of the said 19th District; thence running S01°07'02"W along the common line between Land Lots

881 and 882 for a distance of 362.69 feet to an iron pin found (#4 rebar); thence continuing along said Land Lot Line $S01^{\circ}00'55''W$ for a distance of 219.59 feet to an iron pin found (#5 rebar); thence leaving said Land Lot Line and running $N88^{\circ}44'16''W$ for a distance of 1049.52 feet to an iron pin found (#3 rebar); thence running $N88^{\circ}46'37''W$ for a distance of 225.64 feet to an iron pin found (#4 rebar) located on the east right-of-way of Riding Woods Drive; thence running $N01^{\circ}11'45''E$ along the east right-of-way of Riding Woods Drive for a distance of 64.06 feet to a point which is the **TRUE POINT OF BEGINNING**. Said tract contains ± 12.679 acres ($\pm 552,317$ sq. ft.).

Mail

THIS DOCUMENT WAS PREPARED BY:
Assemblies of God Foundation
3900 S Overland Avenue
Springfield MO 65807

Deed Book 15976 Pg 3186
Filed and Recorded Oct-05-2021 03:49pm
2021-0142846
Real Estate Transfer Tax \$0.00
0332021029758

WARRANTY DEED


Connie Taylor
Clerk of Superior Court Cobb Cty. Ga.

STATE OF GEORGIA
COUNTY OF COBB

This Warranty Deed made this 22nd day of September, 2021, by and between the GRANTOR, JAMES R. STOREY, a married man, hereinafter referred to as "Grantor" and the GRANTEES, ASSEMBLIES OF GOD FOUNDATION, a Missouri corporation, Trustee of THE JAMES R. STOREY CHARITABLE REMAINDER UNITRUST (an irrevocable trust), hereinafter referred to as "Grantee." The mailing address of the Grantee is 3900 S. Overland Avenue, Springfield, Missouri 65807.

WITNESSETH: The Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which is hereby specifically acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey, and confirm to Grantee, the following described lots, tracts or parcels of land lying, being and situated in the County of Cobb and State of Georgia, to-wit:

See legal description on Exhibit A attached hereto and incorporated herein by reference.

Property commonly known as 5550 Story Road, Powder Springs, Georgia 30127

It being a portion of the property conveyed to James R. Storey, by deed of Winnell Capes Story (Mrs. Carl Story) dated the 31st day of July, 1981 and of record in the Cobb County Recorder of Deeds in Deed Book 2437, at Page 347.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantee and unto successors and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantee, and unto their successors and assigns forever, against the lawful claims and demands of all persons.

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

GRANTOR:

Deed Book 15976 Pg 3187

James R. Storey
James R. Storey

Naomi Storey
Witness

STATE OF GEORGIA)
) ss.
COUNTY OF COBB)

On this 22ND day of SEPTEMBER, 2021, before me personally appeared that James R. Storey, to me known to be the persons described in, and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

In testimony whereof I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

My commission expires:

Aug 25, 2024

Joyce A. Corn
Notary Public
Type or print name Joyce A. CORN



EXHIBIT A

All that tract or parcel of land lying and being in Land Lots 820, 821, 882 and 883 of the 19th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

NORTHERN TRACT:

BEGINNING at an iron pin set (#4 rebar w/cap) located on the northwesterly right-of-way of Story Road (50' right-of-way) said iron pin being located 375.79 feet from the intersection of the said northwesterly right-of-way of Story Road and the northeasterly right-of-way of Hiram Lithia Springs Road (50' right-of-way) as measured in a northeasterly direction along the said northwesterly right-of-way of Story Road; having thus established the TRUE POINT OF BEGINNING leaving said point and right-of-way and running N00°04'49"E for a distance of 150.61 feet to an iron pin set (#4 rebar w/cap); thence running N00°02'19"W for a distance of 283.00 feet to an iron pin set (#4 rebar w/cap); thence running N00°14'42"E for a distance of 186.55 feet to an iron pin found (3/4" crimped-top-pipe); thence running N00°47'38"W for a distance of 232.73 feet to an iron pin found (1/2" open-top-pipe) located on the common line between Land Lot 883 and 820 of the said 19th District; thence leaving said Land Lot Line and running N00°56'49"W for a distance 208.27 feet to an iron pin found (#4 rebar); thence running N00°49'40"W for a distance of 34.61 feet to an iron pin found (#4 rebar); thence running N00°54'28"W for a distance of 134.42 feet to an iron pin found (#4 rebar disturbed); thence running N00°56'47"W for a distance of 139.74 feet to an iron pin found (1/2" open-top-pipe); thence running N86°08'37"W for a distance of 97.61 feet to an iron pin found (#4 rebar); thence running N01°22'21"E for a distance of 139.94 feet to an iron pin found (1/2" open-top-pipe); thence running N00°24'42"E for a distance of 38.82 feet to an iron pin found (#4 rebar); thence running S85°25'25"E for a distance of 741.51 feet to an iron pin set (#4 rebar); thence running S88°38'59"E for a distance of 680.39 feet to an iron pin found (#4 rebar); thence running S00°23'53"W for a distance of 819.02 feet to an iron pin set located on the northwesterly right-of-way of said Story Road; thence running in a generally southwesterly direction along and following the northwesterly right-of-way of said Story Road for the following courses and distances: running thence S58°49'02"W for a distance of 225.83 feet to a point; thence running in a southwesterly direction along a curve to the left for an arc length of 307.99 feet (said arc being subtended by a chord of S58°15'23"W – 307.99 feet and having a radius of 18,878.22 feet) to a point; thence running S56°40'03"W for a distance of 171.30 feet to a point; thence running in a southwesterly direction along a curve to the right for an arc length of 237.07 feet (said arc being subtended by a chord of S61°57'46"W – 236.38 feet to a point and having a radius of 896.02 feet) to a point; thence running S70°26'51"W for a distance of 98.34 feet to a point; thence running in a southwesterly direction along a curve to the left for an arc length of 322.52 feet (said arc being subtended by a chord of S71°03'25"W – 322.50 feet and having a radius of 7,348.08 feet) to a point; thence running S69°28'26"W for a distance of 111.62 feet to an iron pin set (#4 rebar) which is the TRUE POINT OF BEGINNING. Said tract contains ±37.092 acres (±1,615,730 sq. ft.)

LESS AND EXCEPT FROM THE NORTHERN TRACT:

All that tract or parcel of land lying and being in Land Lots 882 and 883 of the 19th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set (#4 rebar w/cap) located on the northwesterly right-of-way of Story Road (50' right-of-way) said iron pin being located 375.79 feet from the intersection of the said northwesterly right-of-way of Story Road and the northeasterly right-of-way of Hiram Lithia Springs Road (50' right-of-way) as measured in a northeasterly direction along the said northwesterly right-of-way of Story Road; having thus established the TRUE POINT OF BEGINNING leaving said point and right-of-way and running N00°04'49"E for a distance of 150.61 feet to an iron pin set (#4 rebar w/cap); thence running N00°02'19"W for a distance of 76.52 feet to an iron pin set (#4 rebar w/cap); thence running N89°57'41"E for a distance of 234.56 feet to an iron pin set (#4 rebar w/cap); thence running N23°25'45"E for a distance of 93.35 feet to an iron pin set (#4 rebar w/cap); thence running N89°57'41"E for a distance of 477.67 feet to an iron pin set located on the northwesterly right-of-way of said Story Road; thence running in a generally southwesterly direction along and following the northwesterly right-of-way of said Story Road for the following courses and distances: running thence S56°40'03"W for a distance of 46.24 feet to a point; thence running in a southwesterly direction along a curve to the right for an arc length of 237.07 feet (said arc being subtended by a chord of S61°57'46"W – 236.38 feet to a point and having a radius of 896.02 feet) to a point; thence running

S70°26'51"W for a distance of 98.34 feet to a point; thence running in a southwesterly direction along a curve to the left for an arc length of 322.52 feet (said arc being subtended by a chord of S71°03'25"W – 322.50 feet and having a radius of 7,348.08 feet) to a point; thence running S69°28'26"W for a distance of 111.62 feet to an iron pin set (#4 rebar) which is the TRUE POINT OF BEGINNING. Said tract contains ±2.50 acres (±108,858 sq. ft.)

and;

All that tract or parcel of land lying and being in Land Lots 821 and 882 of the 19th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

SOUTHERN TRACT:

BEGINNING at a point located at the intersection of the southeasterly right-of-way of Story Road (50' right-of-way) and the easterly right-of-way of Riding Woods Drive (50' right-of-way); having thus established the TRUE POINT OF BEGINNING leaving said point and running in a generally northeasterly direction along and following the southeasterly right-of-way of said Story Road for the following courses and distances: thence running in a northeasterly direction along a curve to the left for an arc length of 59.85 feet (said arc being subtended by a chord of N56°15'24"E – 59.84 feet and having a radius of 946.02 feet) to a point; thence running N56°40'03"E for a distance of 169.83 feet to a point; thence running in a northeasterly direction along a curve to the right for an arc length of 306.70 feet (said arc being subtended by a chord of N58°15'25"E – 306.70 feet and having a radius of 18,828.22 feet) to a point; thence running N58°49'02"E for a distance of 368.51 feet to a point; thence running in a northeasterly direction along a curve to the left for an arc length of 165.52 feet (said arc being subtended by a chord of N54°35'06"E – 165.35 feet and having a radius of 1035.60 feet) to a point; thence running N48°23'48"E for a distance of 111.58 feet to an iron pin set (#4 rebar w/cap); thence leaving said right-of-way and running S00°31'40"W for a distance of 157.03 feet to an iron pin set (#4 rebar); thence running S89°44'01"E for a distance of 300.00 feet to an iron pin found (#4 rebar) located on the common line between Land Lot 882 and 881, said iron pin being located S00°33'37"W a distance of 96.01 feet from an iron pin found (1" open-top-pipe) which is the common corner of Land Lots 821, 822, 881 and 882 of the said 19th District; thence running S01°07'02"W along the common line between Land Lots 881 and 882 for a distance of 362.69 feet to an iron pin found (#4 rebar); thence continuing along said Land Lot Line S01°00'55"W for a distance of 219.59 feet to an iron pin found (#5 rebar); thence leaving said Land Lot Line and running N88°44'16"W for a distance of 1049.52 feet to an iron pin found (#3 rebar); thence running N88°46'37"W for a distance of 225.64 feet to an iron pin found (#4 rebar) located on the east right-of-way of Riding Woods Drive; thence running N01°11'45"E along the east right-of-way of Riding Woods Drive for a distance of 64.06 feet to a point which is the TRUE POINT OF BEGINNING. Said tract contains ±12.679 acres (±552,317 sq. ft.).

LESS AND EXCEPT FROM THE SOUTHERN TRACT:

All that tract or parcel of land lying and being in Land Lot 882 of the 19th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at a point located at the intersection of the southeasterly right-of-way of Story Road (50' right-of-way) and the easterly right-of-way of Riding Woods Drive (50' right-of-way); having thus established the TRUE POINT OF BEGINNING leaving said point and running in a generally northeasterly direction along and following the southeasterly right-of-way of said Story Road for the following courses and distances: thence running in a northeasterly direction along a curve to the left for an arc length of 59.85 feet (said arc being subtended by a chord of N56°15'24"E – 59.84 feet and having a radius of 946.02 feet) to a point; thence running N56°40'03"E for a distance of 169.83 feet to a point; thence running in a northeasterly direction along a curve to the right for an arc length of 77.35 feet (said arc being subtended by a chord of N57°54'29"E – 77.35 feet and having a radius of 18,828.22 feet) to an iron pin set (#4 rebar w/cap) thence leaving said right-of-way and running S28°26'34"E for a distance of 273.07 feet to an iron pin set (#4 rebar w/cap); thence running N88°44'16"W for a distance of 163.03 feet to an iron pin found (#3 rebar); thence running N88°46'37"W for a distance of 225.64 feet to an iron pin found (#4 rebar) located on the east right-of-way of Riding Woods Drive; thence running N01°11'45"E along the east right-of-way of Riding Woods Drive for a distance of 64.06 feet to a point which is the TRUE POINT OF BEGINNING. Said tract contains ±1.25 acres (±54,442 sq. ft.).

Deed Book 15976 Pg 3189
Connie Taylor
Clerk of Superior Court Cobb Cty. Ga.

3.00 per 24

STATE OF GEORGIA
COUNTY OF COBB

QUIT CLAIM DEED

THIS INDENTURE made this 31st day of July 1978 by and between

Winnell Capes Story (Mrs. Carl Story)
party or parties of the first part, hereinafter referred to as "Grantor", and James R. Storey

party or parties of the second part hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural;

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of One Dollar and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, the Grantor has and hereby does remise, release, convey and forever quitclaim unto Grantee and the heirs, legal representatives, successors and assigns of Grantee

All that tract and parcel of Land in Land Lots 820, 821, 882, and 883, 19th district, 2nd section of Cobb County, Georgia and being more particularly described as follows:

To find the true point of beginning begin at the NE corner of LL 883; thence S along the land lot line dividing LL 882 and LL 883, 698 feet, more or less, to an iron pin found and the true point of beginning; thence S 89° W 247.23 feet to a point on the N side of Story Road; then S 68° 59' W 417.8 ft along the N side of Story Road 25 feet from the center line of Story Road to a point and iron pin found; thence due N 837 feet, more or less, to a point on the N line of LL 883; thence due N 500 feet, more or less, into LL 820 to a point; thence due E 630 feet, more or less, to a point on the E line of LL 820; thence due N 160 feet, more or less, along the E line of LL 820; thence due E 1020 feet, more or less, to a point and iron pin found; thence due S 760 feet, more or less, to a point and iron pin found; thence due E 300 feet to a point on the E line of LL 882; thence due S 598 feet, more or less, to a point; thence due W 1320 feet, more or less, and the true point of beginning.

Cobb County, Georgia
Real Estate Transfer Tax
Paid \$ None
Date 11-14-81
Jack L. Johnson
Clerk of Superior Court

COBB SUPERIOR COURT CLERK
81 NOV 11 P 4:11
0137
347

TO HAVE AND TO HOLD said tract or parcel of land in order that neither the Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

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

Signed, Sealed and Delivered in the presence of:

Elizabeth Casnett (Unofficial Witness)
Robert L. Johnson (Notary Public)
Winnell Capes Story (SEAL)

(SEAL)



Notary Public, Georgia, State at Large

3.00 per

DEED OF ASSENT TO DEVISE

Cobb County, Georgia
Real Estate Transfer Tax
Paid \$ 11-11-81
Date 11-11-81
John H. Johnson
Clerk of Superior Court

GEORGIA

COBB COUNTY

WHEREAS, JAMES CARL STOREY, died a resident of Cobb County, Georgia, on the 30th day of July, 1981, leaving a Will which has been probated in solemn form in said County at the November 1981 term of the Probate Court thereof; and

WHEREAS, under the terms of said Will the following described property was devised to JAMES ROY STOREY:

All that tract and parcel of land in Land Lots 820, 821, 882, and 883, 19th district, 2nd section of Cobb County, Georgia and being more particularly described as follows:

To find the true point of beginning begin at the NE corner of LL 883; thence S along the land lot line dividing LL 882 and LL 883, 660 feet, more or less, to an iron pin found and the true point of beginning; thence S 89° W 247.23 feet to a point on the N side of Story Road; then S 68° 59' W 417.8 ft along the N side of Story Road 25 feet from the center line of Story Road to a point and iron pin found; thence due N 837 feet, more or less, to a point on the N line of LL 883; thence due N 500 feet, more or less, into LL 820 to a point; thence due E 630 feet, more or less, to a point on the E line of LL 820; thence due N 160 feet, more or less, along the E line of LL 820; thence due E 1020 feet, more or less, to a point and iron pin found; thence due S 760 feet, more or less, to a point and iron pin found; thence due E 300 feet to a point on the E line of LL 882, thence due S 560 feet, more or less, to a point; thence due W 1320 feet, more or less, and the true point of beginning.

WHEREAS, the undersigned duly qualified as Executor of the estate of the said JAMES CARL STOREY, and is now administering the estate under the terms of said Will; and it has been determined that all debts and all claims against the estate have been fully paid.

NOW THEREFORE, the undersigned, as Executor of the Will of the said JAMES CARL STOREY, hereby assents to the devise of said property under the terms of said Will, so that full fee simple title is vested in the said JAMES ROY STOREY, as provided in said Will.

WITNESS, my hand and seal, this 11th day of November, 1981

Signed, sealed and delivered in the presence of:

James Roy Storey
JAMES ROY STOREY
Estate of James Carl Storey

Elizabeth C. Bassett
Witness

Robert L. Wilby
Notary Public

Notary Public, Georgia, State at Large
My Commission Expires April 28, 1982



COBB SUPERIOR COURT

John H. Johnson

NOV 11 4:11

346

After Recording Return to:
Samuel L. Feldman
Attorney at Law
8735 Dunwoody Place, Suite 100
Atlanta, GA 30350
Our File No. 05-275C

Deed Book 14214 Pg 2869
Filed and Recorded Sep-07-2005 09:39am
2005-0158053
Real Estate Transfer Tax \$0.00

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

State of Georgia
County of Fulton

Warranty Deed

THIS INDENTURE made this 31st day of August, in the year 2005, between Story Road, LLC, a Georgia limited liability company, as party of the first part, hereinafter called Grantor, and James Roy Storey, as party 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 Ten Dollars and other good and valuable consideration (\$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, the following described property:

All that tract or parcel of land lying and being in Land Lot 820 and 821, 19th District, 2nd Section, Cobb County, Georgia and being more particularly described on Exhibit "A" attached hereto.

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.

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 whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public
My Commission Expires
MAY 14
NOTARIAL SEAL
FULTON COUNTY GA
NOTARY PUBLIC

GRANTOR:
STORY ROAD, LLC by its Members
Homelife Communities Development Co.,
Inc., Member
By: *[Signature]* (SEAL)
Jonathan W. Been, Asst. Secretary
A.B. Land Corporation, Member
By: *[Signature]* (SEAL)
Andrew M. Been, President

CORPORATE SEAL

EXHIBIT A

STORY TRACT #1 PROPERTY LINE DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 820 OF THE 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" OPEN TOP PIPE FOUND AT THE NORTHEASTERN CORNER OF LAND LOT 820; THENCE ALONG THE EASTERN LINE OF LAND LOT 820 SOUTH 00 DEGREES 05 MINUTES 48 SECONDS WEST, 672.73 FEET TO A #4 REBAR FOUND, SAID POINT BEING THE POINT OF BEGINNING.

THENCE CONTINUING ALONG SAID LAND LOT LINE SOUTH 00 DEGREES 05 MINUTES 48 SECONDS WEST, 147.06 FEET TO A #4 REBAR SET; THENCE LEAVING SAID LAND LOT LINE NORTH 88 DEGREES 48 MINUTES 54 SECONDS WEST, 643.84 FEET TO A 3/4" OPEN TOP PIPE FOUND; THENCE NORTH 86 DEGREES 50 MINUTES 38 SECONDS WEST, 97.66 FEET TO A #4 REBAR FOUND; THENCE NORTH 00 DEGREES 44 MINUTES 16 SECONDS EAST, 139.93 FEET TO A #4 REBAR FOUND; THENCE NORTH 00 DEGREES 23 MINUTES 04 SECONDS WEST, 39.07 FEET TO A #4 REBAR SET; THENCE SOUTH 86 DEGREES 05 MINUTES 11 SECONDS EAST, 741.65 FEET TO A #4 REBAR FOUND ON THE EASTERN LINE OF LAND LOT 820, SAID POINT BEING THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINS 2.796 ACRES.

~~STORY TRACT #2 PROPERTY LINE DESCRIPTION~~

~~ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 821 OF THE 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~COMMENCING AT A 1" OPEN TOP PIPE FOUND AT THE NORTHEASTERN CORNER OF LAND LOT 821; THENCE ALONG THE EASTERN LINE OF LAND LOT 821 SOUTH 00 DEGREES 28 MINUTES 25 SECONDS EAST, 666.86 FEET TO A #4 REBAR FOUND, SAID POINT BEING THE POINT OF BEGINNING.~~

~~THENCE CONTINUING ALONG SAID LAND LOT LINE SOUTH 00 DEGREES 31 MINUTES 58 SECONDS EAST, 276.61 FEET TO A 3/4" OPEN TOP PIPE FOUND ON THE NORTHERLY RIGHT OF WAY OF STORY ROAD (50' R/W); THENCE LEAVING SAID LAND LOT LINE AND ALONG SAID RIGHT OF WAY SOUTH 49 DEGREES 08 MINUTES 44 SECONDS WEST, 394.19 FEET TO A #4 REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY NORTH 00 DEGREES 17 MINUTES 56 SECONDS WEST, 538.87 FEET TO A #4 REBAR FOUND; THENCE SOUTH 89 DEGREES 09 MINUTES 13 SECONDS EAST, 298.43 FEET TO A #4 REBAR FOUND ON THE EASTERLY LINE OF LAND LOT 821, SAID POINT BEING THE POINT OF BEGINNING.~~

~~SAID TRACT OR PARCEL CONTAINS 2.800 ACRES.~~

James Storey
5550 Story Rd. Sw
Powder Springs, GA 30127

TRACT 2 VESTING

WARRANTY DEED

THIS INDENTURE made this 31st day of December, in the year of our Lord, 2015, between Sent To Serve Ministries, Inc a 501(c)3 tax exempt, non-profit corporation, EIN 58-1605125, as party of the first part, hereinafter called the donor and James Roy Storey as party of the second part, hereinafter called the recipient

WITNESSETH that the party of the first part, before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, donated, aliened, conveyed, and confirmed, the following described property

All that tract or parcel of land lying and being in Land Lot 883, 19th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

Commencing at an iron pin found at the northwestern corner of land lot 883, thence along the northern line of land lot 883 east 620 feet; thence south 687 feet to an iron pin found; thence east 390 feet to an iron pin found; thence 173.2 feet north; thence east 173.2 feet; thence 173.2 south; thence continuing west along the northerly right of way of Story Road 173.2 feet to said point being the point of beginning. Said tract or parcel is R30 lot containing 0.6887 acres. This Storey Family Fund lot at Sent To Serve Ministries, Inc. is being transferred so as to be consolidated with the established Storey Family Fund at the Assembly Of God Foundation, EIN 43-1827144, 1900 S. Overland Ave., Springfield, MO 65807, upon demise of recipient, in accordance with his last will and testament.

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 proper use, benefit and behalf of then said recipient forever in fee simple.

AND THE SAID party of the first part will warrant and forever defend the right and title to the above-described property unto the recipient against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Donor representative has hereunto set his hand and seal this day first above written.

Signed, sealed and delivered in the presence of:

SENT TO SERVE MINISTRIES, INC

Joyce A. Corn
Notary Public

James Roy Storey
James Roy Storey,
Secretary/Treasurer

Notary Commission Expires FEB. 25, 2018



Rebecca Keaton Witness

Deed Book 15306 Pg 5032
Filed and Recorded Jan-19-2016 11:11am
2016-0004237
Real Estate Transfer Tax \$0.00
033201600040

Rebecca Keaton
Rebecca Keaton
Clerk of Superior Court Cobb Cty. Ga.

500 JCL

WARRANTY DEED

STATE OF GEORGIA COUNTY OF COBB

THIS INDENTURE, Made the 2nd day of October, in the year one thousand nine hundred eighty four, between

PAUL WALKER CONSTRUCTION, INC. AND WEST COBB LAND, INC. of the County of Cobb, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

JAMES ROY STOREY

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 TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS----- (\$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,

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR LEGAL DESCRIPTION

100

FILED AND RECORDED
84 OCT - 3 P 2:09
DEED BOOK 3274/153

FILED AND RECORDED
84 OCT - 3 P 2:09
DEED BOOK 3274/153



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.

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 whomsoever.

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

Signed, sealed and delivered in presence of: PAUL WALKER CONSTRUCTION, INC.

Witness: Paul Walker (Seal) Title: Paul Walker
Notary Public: James Roy Storey (Seal) Title: James Roy Storey
Notary Public, Georgia State at Large Commission Expires Sept. 2, 1985



EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 882, of the 19th District, 2nd Section of Cobb County, Georgia according to plat of survey by Gaskins Surveying Company dated September 28, 1984 and being more particularly described as follows:

To find the point of beginning commence at the southwest corner of Land Lot 882; thence north 00 degrees 37 minutes 07 seconds west a distance of 650.11 feet to an iron pin; thence south 89 degrees 20 minutes 08 seconds east a distance of 50 feet to an iron pin, the same being the point of beginning. From said iron pin and point of beginning; thence south 89 degrees 20 minutes 08 seconds east a distance of 225.45 feet to an iron pin; thence south 75 degrees 19 minutes 23 seconds west a distance of 233.78 feet to an iron pin; thence north 00 degrees 39 minutes 52 seconds east a distance of 61.85 feet to an iron pin, the same being the point of beginning. Said tract constituting 0.16 acres of land.



CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Printed: 2/5/2022

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
JAMES R & NAOMI LEAH STOREY

STOREY JAMES ROY

Payment Date: 10/12/2021

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2021	19088300010	10/15/2021	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$476.00	\$0.00



Scan this code with your mobile phone to view this bill!



CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
 Phone: 770-528-8600
 Fax: 770-528-8679

Printed: 2/5/2022

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
JAMES R & NAOMI LEAH STOREY

STOREY JAMES ROY

Payment Date: 10/12/2021

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2021	19088300150	10/15/2021	Pay:	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$236.14	\$0.00



Scan this code with your mobile phone to view this bill!

5550 Story Road



1,504.7



1,504.7 Feet

752.33

0

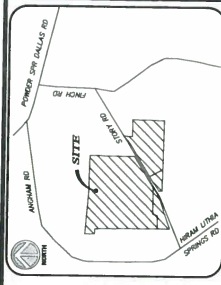
WGS_1984_Web_Mercator_Auxiliary_Sphere
© Cobb County Georgia

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

1 : 9,028



Map Notes:



VICINITY MAP

A portion of said described property is located within a special flood hazard area (Zone "A") according to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) as shown on a date of identification of Dec. 16, 2008 for Georgia, which is the current Flood Insurance Rate Map for the community in which the project is located.

SITE NOTES:

PROPOSED USE: SINGLE FAMILY RESIDENTIAL

CORRECTION: 2008 - R-30 (CONDOMINIUM)

BLANK 1 ADDRESS - 1218 AC

BLANK 2 ADDRESS - 1218 AC

TOTAL RESIDENTIAL UNITS PROPOSED - 117

PROPOSED DENSITY - 2.35 U/A

MINIMUM LOT SIZE REQUIRED - 6,000 SF

CRUI SPACE PROVIDED - 10.45 ACRES (7.0 AC)

SETBACKS:

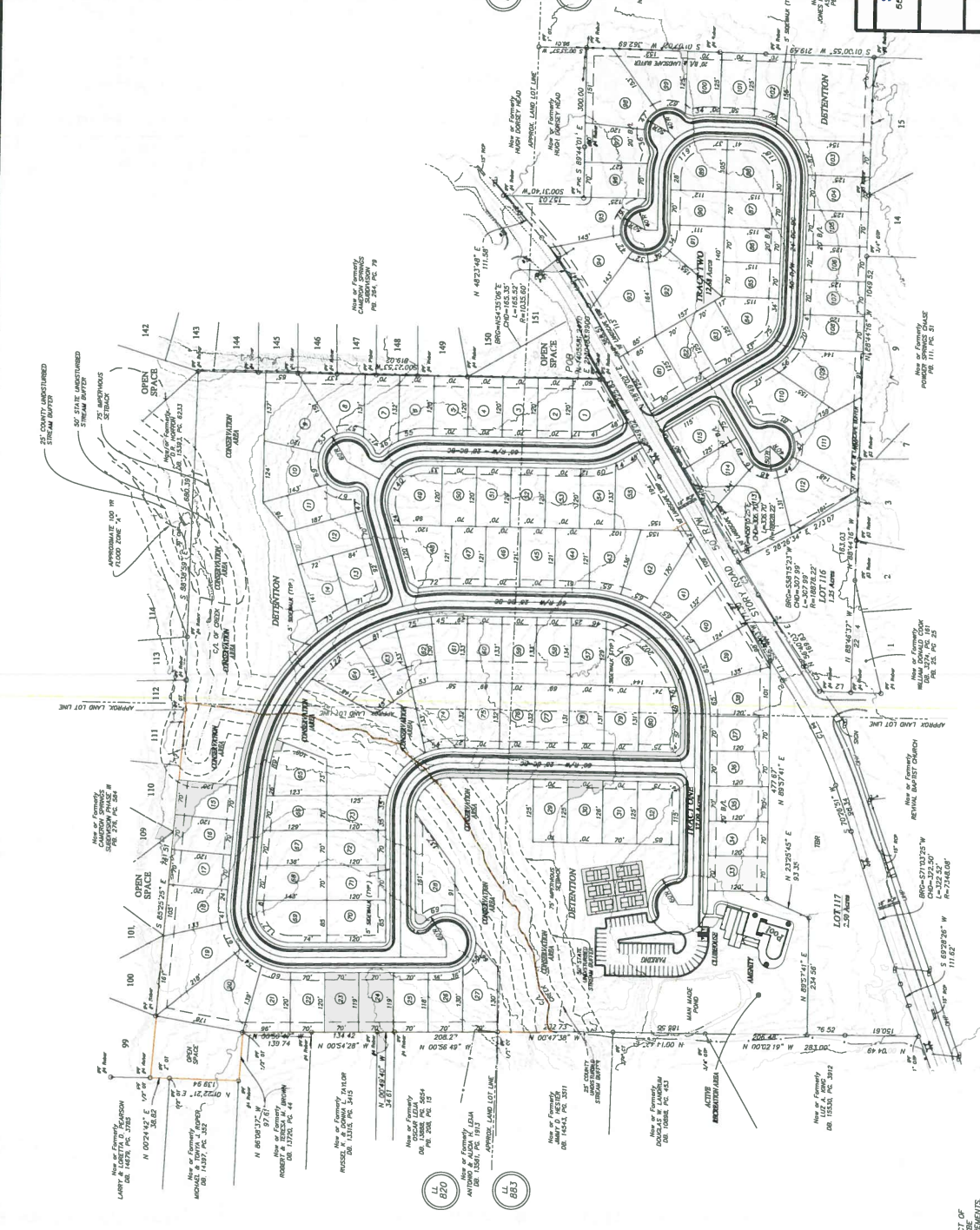
FRONT - 5'

REAR - 5' (NOT BETWEEN STRUCTURES)

LEFT - 5' (LANDSCAPE BUFFER)

RIGHT - 5'

ALL RESIDENTIAL UNITS SHALL HAVE TWO-CAR GARAGES AND THE PARKING PROVIDED BY THE DEVELOPER SHALL BE A MINIMUM OF 22 PERCENT OF THE TOTAL UNITS. ALL UNITS SHALL BE IN CONFORMANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES, WITHOUT EXCEPTIONS OR THE PARKING AND STORAGE OF VEHICLES AND TRAILERS SHALL BE PROVIDED FOR ADDITIONAL RESIDENTIAL UNITS.



LEGEND

- FIRE HYDRANT
- WATER VALVE
- WATER METER
- POWER POLE
- GUY WIRE
- POWER LINE
- FENCE
- CONCRETE DRIVE
- ASPHALT DRIVE
- GRAVEL DRIVE
- BARRIERS
- BARRIERS
- BARRIERS

CURVE TABLE

STATION	LENGTH	CHORD	DEFLECTION
1+00.00	100.00	100.00	0.00
1+100.00	100.00	100.00	0.00
1+200.00	100.00	100.00	0.00
1+300.00	100.00	100.00	0.00
1+400.00	100.00	100.00	0.00
1+500.00	100.00	100.00	0.00
1+600.00	100.00	100.00	0.00
1+700.00	100.00	100.00	0.00
1+800.00	100.00	100.00	0.00
1+900.00	100.00	100.00	0.00
2+000.00	100.00	100.00	0.00

CONCEPTUAL PLAN FOR SEVEN SPRINGS

5660 STONEY ROAD - PARCEL 1, 1988S00010
COBB COUNTY, GA

LOCATED IN LAND LOTS 820, 821, 882 & 883
19150 STONEY ROAD, SUITE 100
COBB COUNTY, GEORGIA

DAVID PEARSON COMMUNITIES, INC.

2000 FIRST UNIT, STE 400, MARIETTA GA 30062, PHONE: 770-321-5082

DRAWN BY:	DP	DATE:	9-17-21
CHECKED BY:	DP	DRAWING NO.:	CONCEPT
APP. NO.:	5550-STORY-RD	SHEET:	1 OF 1
NO.:		REVISION DESCRIPTION:	
1:	12-8-21	REDUCED DENSITY:	D

SEVEN SPRINGS

APPLICANT:
DAVID PEARSON COMMUNITIES, INC.
2000 FIRST UNIT, SUITE 400
MARIETTA, GA 30062

DATE OF PLAN:
09/17/21

DATE OF SCALE:
09/17/21

TRAVERSE CLOSURE - 154.84

ANGULAR ERROR - 0.18 C/M

COMPARISON - DEPON AND TOTAL STUDY

ALL MATTERS OF THIS ORDER

SURVEY NOTES:

COMPLETED WITHIN THE SCOPE OF AN ABSTRACT OF TITLE. THEREFORE ALL MATTERS OF TITLE ARE EXCEPTED. THIS SURVEY IS NOT A GUARANTEE OF ACCURACY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPERTY AND HAS NOT CONDUCTED A FULL SURVEY OF THE PROPERTY. THE SURVEYOR HAS NOT CONDUCTED A FULL SURVEY OF THE PROPERTY. THE SURVEYOR HAS NOT CONDUCTED A FULL SURVEY OF THE PROPERTY. THE SURVEYOR HAS NOT CONDUCTED A FULL SURVEY OF THE PROPERTY.

centerline

1" SCALE = 100' PL.

ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: _____
Planning Commission Hearing: _____, 2022
Mayor and City Council Hearing: _____, 2022

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

**CONSTITUTIONAL CHALLENGE
ATTACHMENT TO APPLICATION FOR VARIANCE**

COME NOW, Applicant, DAVID PEARSON COMMUNITIES, INC. (hereinafter referred to as “Applicant”), and Property Owners, JAMES ROY STOREY (a/k/a JAMES R. STOREY) and ASSEMBLIES OF GOD FOUNDATION, a Missouri corporation, TRUSTEE OF THE JAMES R. STOREY CHARITABLE REMAINDER UNITRUST (an irrevocable trust) (hereinafter collectively referred to as “Owners” or “Property Owners”), and assert the following:

1.

By Application for Variance dated and submitted February 8, 2022, Applicant and Property Owners applied for a variance as to the requirements of the Unified Development Code of the City of Powder Springs, Georgia, and seek a waiver of the required minimum side setback; as well as the required minimum open space area allowed under the R-15 Conservation zoning classification, as more fully set forth in the subject Application (hereinafter collectively referred to as the “Setback and Open Space Ordinances”).

2.

The Unified Development Code of the City of Powder Springs, Georgia, as amended, was established by the governing authority of the City of Powder Springs, Georgia,

being hereinafter referred to as the “Unified Development Code of the City of Powder Springs.”

3.

By Application for Variance, Applicant and Property Owners applied for variances specifically as to certain real property lying and being in the unincorporated Cobb County, Georgia, for which Annexation Applications were contemporaneously filed with a Rezoning Application, a more particular description and delineation of the subject property being set forth in said Application (hereinafter collectively referred to as the “Subject Property” or “Property”).

4.

The Application for Variance seeks a waiver of the zoning requirements of the Setback and Open Space Ordinances, as applied to the Subject Property.

5.

There is no question but that enforcement of the Setback and Open Space Ordinances would create an unnecessary hardship in that same would deny reasonable use of the Property while causing no substantial detriment to the public good. The Application for Variance does not seek a use of the Property which is prohibited by any ordinance or resolution.

6.

The Unified Development Code of the City of Powder Springs and the Code of the City of Powder Springs (sometimes collectively referred to as “Ordinances”) are unconstitutional as applied to the Property in that said Ordinances deprive Applicant and

Property Owners 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. Said Ordinances, as they presently exist, violate the Applicant's and Property Owners' right to unfettered use of their Property in that a refusal to grant the requested variances from said Ordinances would result in unwarranted loss of existing and proposed reasonable residential use. Further, said Ordinances do not bear a substantial relation to the public health, safety, morality, or general welfare and are therefore confiscatory and void as applied to the Property. Further, said Ordinances are unconstitutional in that same are arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant and Property Owners.

7.

The Unified Development Code of the City of Powder Springs and the Code of the City of Powder Springs are further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Application for Variance 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.

Respectfully submitted, this 8th day of February, 2022.

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