



city of
powder springs

Variance Request

Application Checklist

Applicant Information

Name ***Traton, LLC**

Phone

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

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: 2024 Cobb County Property Tax Receipts; Hydraulics Analysis dated March 9, 2025; 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**
Variance Request
Application Form

Applicant Information

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

Variance Request Property Information

Address	5500, 5525, 5535 Elliott Road	Parcel ID / Lot#	19066000060; 19066000050; 19067400030
Acreage	60.00675+/-	Present Zoning	PUD-R




Variance Request **See Attached Listing of Variances Requested**

Source of Water Supply	Cobb County	Source of Sewage Disposal	Cobb County
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Additional Information, If Applicable

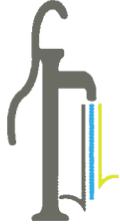
Elementary School and School's Capacity	Varner Elementary - 78%	Middle School and School's Capacity	Tapp MS - 78%
High School and School's Capacity	McEachern HS - 94%	Peak Hours Trips Generated	

Notary Attestation

Executed in <u>Marietta</u> (City), <u>GA</u> (State).			
BY: 	J. Kevin Moore	April 22, 2025	
Signature of Applicant	Printed Name	Date	
Attorneys for Applicant and Property Owners			
Subscribed and sworn before me this <u>22</u> day of <u>April</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 #		City Council Hearing	
Planning Commission Hearing		Reason for Withdrawal	
Withdrawal Date			



**city of
powder springs**
Variance 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 :

To request certain variances to previously approved single-family residential community to allow for development.

PART II. Please list all requested variances:

Variance to allow impacts to future flood plain.

Part III. Existing use of subject property:

The Property is undeveloped, excepting one single-family residence on the northern tract and two single-family residences on the southern tract.

Part IV. Proposed use of subject property:

Single-family residential community containing a maximum of 37 single-family detached residences on the north tract and a maximum of 28 single-family detached and 16 single-family attached residences on the south tract.

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

Several creeks and streams traverse both tracts of property, a pond is located on the southern tract, and a portion of the Property is located within a flood zone, all of which decrease the developable area of the Property. The PUD-R zoning category, the layout sought by Applicant, together with the requested variances 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

April 22, 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**

Variance 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 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.
- Several creeks and streams traverse both tracts of the Property, and a pond is located on the southern tract. These natural items have to be factored in to the overall development, both in buildable lots and in stormwater runoff and drainage.
- 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.
- A literal interpretation of the UDC would effectively halt the development of the proposed single-family residential community.
- 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
- By granting the requested variances, no special privileges would be granted to the Property or to Applicant.
- 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.
- Granting the requested variances will allow the development of the proposed single-family residential community to move forward and will in no way be injurious to the surrounding neighborhoods or to the general welfare of the community, as impact to future flood plain will result in a "no-rise" of flood plain areas.
- e. The special circumstances are not the result of the actions of the applicant.
- The special circumstances are not the result of any actions by Applicant in that these circumstances relate to the natural formation of streams, creeks, and ponds; as well as, the topography of the Property.
- f. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed.
- The variance requested is minimal and would allow for development of the Property to proceed.
- 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 variance requested does not allow a use of the Property which is not permitted under the PUD-R zoning district and the stipulations imposed upon the development by the Mayor and Council.

Applicant Signature

BY: 

Signature of Applicant

Traton, LLC/J. Kevin Moore

Printed Name

April 22, 2025

Date

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Attorneys for Applicant and Property Owners

Form Version: 06152020

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



Variance 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 **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:

Joseph C. Shipp

Stephanie Beth Sigman

Glenda T. Shipp

Willard S. Blunschi, Jr.

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	Not Applicable	Not Applicable

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	Not Applicable	Not Applicable

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

Owner's Authorization

Applicant Name ***Traton, LLC**

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

Property Address **5500 Elliott Road Powder Springs, GA** Property PIN **19066000060**

This is to certify that ~~XXXXX~~ We are ~~XXXXX~~ ~~XXXXX~~ 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 ☐

Variance ☒

Signature of Property Owner(s)



Signature of Owner

Joseph Charles Shipp
Printed Name

Date **4/21/** , 2025

State of GA , County of Cobb .

This instrument was acknowledged before me this 21st day of 2025


2025 .by Joseph Charles Shipp Identification Presented:


Signature of Notary Public

Terri Gadbois
Name of Notary Public

1/31/27
My Commission Expires





Signature of Owner

Glenda T. Shipp
Printed Name

Date **4/21/** , 2025

State of GA , County of Cobb .

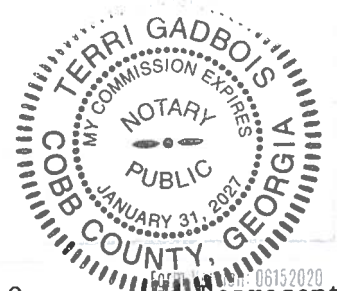
This instrument was acknowledged before me this _____ day of _____

2025 .by Glenda T. Shipp . Identification Presented:


Signature of Notary Public

Terri Gadbois
Name of Notary Public

1/31/27
My Commission Expires



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



Applicant Name *Traton, LLC

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

Property Address 5525 Elliott Road Powder Springs, GA **Property PIN** 19067400030

Check all that apply:

Rezoning ☐Special Use

Hardship Variance

Special Exception ☐Flood Protection Variance ☐

Appeal of Administrative Decision ☐

Variance X

Willard S. Blunsch, Jr. Willard S. Blunsch, Jr.
Signature of Owner Printed Name

4/21, 2025
Date

State of GA, County of .

This instrument was acknowledged before me this 21st day of APRIL 2025

20 25 .by Willard S. Blunshi, Jr. Identification Presented:

Signature of Notary Public

Bethany Ware
Name of Notary Public

11-3-2025
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

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

Owner's Authorization

Applicant Name ***Traton, LLC**

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

Property Address **5535 Elliott Road Powder Springs, GA** Property PIN **19066000050**

This is to certify that I am ~~an authorized representative of 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:~~ 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 Exception ☐

Variance ☒

Special Use ☐

Flood Protection Variance ☐

Hardship Variance ☐

Appeal of Administrative Decision ☐

Signature of Property Owner(s)


Signature of Owner


Stephanie Beth Sigman
Printed Name

April 18, 2025
Date

State of **GA**, County of **Cobb**

This instrument was acknowledged before me this _____ day of _____

20 **25** by **Stephanie Beth Sigman** Identification Presented:


Signature of Notary Public

Kinsey Banner
Name of Notary Public

11/16/27
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

Form Version: 06152020

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

EXHIBIT “A” – ATTACHMENT TO VARIANCE APPLICATION REQUEST

Application No.: _____
Planning Commission Hearing: May 27, 2025
City Council Hearing: June 2, 2025

Applicant: Traton, LLC
Titleholders: Joseph Charles Shipp; Glenda T. Shipp;
Willard S. Blunschi, Jr. and
Stephanie Beth Sigman

Applicant: Traton, LLC
720 Kennesaw Avenue
Marietta, Georgia 30060
[REDACTED]

Attention: Clif Poston
Richard Parvey

E-mail: [REDACTED]

Property Owners: Joseph Charles Shipp
Glenda T. Shipp
5500 Elliott Road
Powder Springs, Georgia 30127
E-mail: [REDACTED]

Willard S. Blunschi, Jr.
5525 Elliott Road
Powder Springs, Georgia 30127
E-mail: [REDACTED]

Stephanie Beth Sigman
Post Office Box 1150
Jacksonville, Alabama 36265
E-mail: [REDACTED]

**Applicant's and
Owners' Representative:** J. Kevin Moore, Esq.
Moore Ingram Johnson & Steele, LLP
Attorneys at Law
Emerson Overlook – Suite 100
326 Roswell Street
Marietta, Georgia 30060
[REDACTED] (Office)
E-mail: [REDACTED]