

email : Heath Houston  
heath@pillarcreative.com

Powder Springs Application Form

HARDSHIP VARIANCE

Applicant: Westgate Church Telephone No.: (404) 583-7141

Applicant's Address: PO Box 685 Powder Springs GA 30127

Property Location: 3217 New Macland Rd unit 60 # 90 Land Lot No.: 725

Applicant is:  Property Owner  Other:  Attorney for Property Owner (Attach Owner's Authorization)  
 Other Representative of the Owner (Attach Owner's Authorization)

Current Zoning: CRC

Type of Appeal

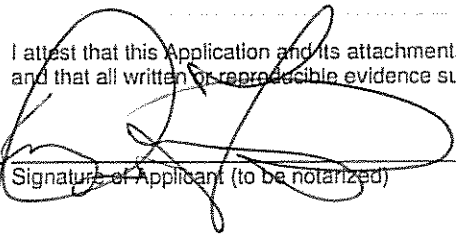
Hardship Variance  
 Change in Stipulations of Approval

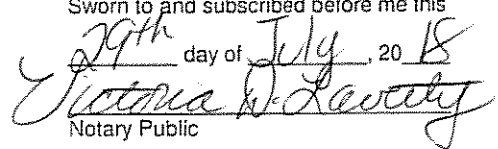
Attachments

Application Fee  Maps or Drawings  (Not Required)  
 Boundary Description  Other: \_\_\_\_\_  
 Review Checklist

Description of Appeal see attached  Additional pages explaining the Appeal are attached

I attest that this Application and its attachments are accurate to the best of my knowledge, and that all written or reproducible evidence supporting my appeal is attached.

  
Signature of Applicant (to be notarized)

Sworn to and subscribed before me this 29th day of July, 2018  
  
Notary Public

\*\*\*\*\* DO NOT WRITE IN THE BOXES BELOW \*\*\*\*\*

DRI  Forms filed with ARC/DCA/GRTA on: \_\_\_\_\_  Final determination received on: \_\_\_\_\_

<p>Application Received Date: _____</p> <p>Scheduled for Public Hearing:</p> <p>Planning Commission Date: _____</p> <p><input type="checkbox"/> Appealed to MCC Date: _____</p> <p>Mayor &amp; City Council Date: _____</p> <p><input type="checkbox"/> Signs Provided Date: _____</p> <p><input type="checkbox"/> Newspaper Ad Date: _____</p> <p><input type="checkbox"/> Affidavit Received Date: _____</p>	<p><b>Planning Commission</b></p> <p>Public Hearing: Date: _____</p> <p>Tabled Until: Date: _____</p> <p><b>Action</b></p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved with Changes</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Stipulations Attached</p>	<p><b>Mayor &amp; Council</b></p> <p>Public Hearing: Date: _____</p> <p>Tabled Until: Date: _____</p> <p>Returned to P.C. Date: _____</p> <p><b>Final Action</b></p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved with Changes</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Stipulations Attached</p>
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Application Withdrawn  
 By Planning Director  
 By P.C. or Mayor & Council  
Date: \_\_\_\_\_  
 Without time restriction  
 With Restriction: Cannot be refiled for 12 months

Powder Springs

Review Checklist

HARDSHIP VARIANCE

Applicant: Westgate Church Current Zoning: CRC

Property Location: 3217 New Macland Rd units 60+90 Land Lot No. 725

Standards for approval

A hardship variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that:

Standard	YES	NO	Comments
EITHER... a. Are there extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
OR... b. Would the application of the Development Code to this particular piece of property create an unnecessary hardship?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
OR... c. Are there conditions that are peculiar to the property involved that adversely affect its reasonable use or usability as currently zoned?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See application letter
AND... d. Would relief, if granted, not cause substantial detriment to the public good or impair the purpose and intent of the Development Code or the Comprehensive Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Prepared...Date: July 30, 20 18 for Westgate Church Applicant

Date: \_\_\_\_\_, 20 \_\_\_\_ by \_\_\_\_\_ Powder Springs Staff

Date: \_\_\_\_\_, 20 \_\_\_\_ by Other: \_\_\_\_\_

Powder Springs

OWNER'S AUTHORIZATION

This is to certify that (  I am  we are  I am the Corporate Secretary of a Corporation that is) the owner of a majority interest in the property that is the subject of the attached application.

By execution of this form, this is to authorize the person named as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

( Check each that applies and  cross out each that does not apply)

- Rezoning
- Special Use
- Appeal from Administrative Decision
- Special Exception
- ~~Hardship Variance~~
- Flood Protection Variance

Applicant: Westgate Church

Applicant's Address: c/o Dwayne Terry  
Po Box 685  
Powder Springs, GA 30127

Date this Authorization becomes null and void: \_\_\_\_\_, 20 \_\_\_\_ . (  Not applicable)

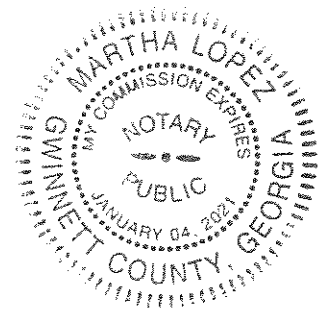
[Signature] 07-30-18 (Notarized)  
 Signature of Owner

NA (Notarized)  
 Signature of Owner

NA (Notarized)  
 Signature of Owner

NA (Notarized)  
 Signature of Owner

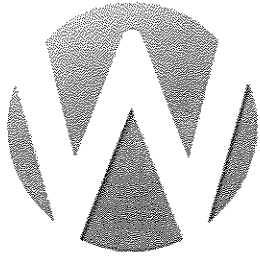
State of Georgia County of Gwinnett  
 Subscribed and sworn before me on 7/30/18  
Martha L (Date)  
 (Notary Signature)



Attach additional sheets as needed

Corporations – attach copy of corporate resolution approving authorization

July 27, 2018



**Westgate Church**

Pastor and Elders

PO Box 685

Powder Springs, GA 30127

**City of Powder Springs**

Planning and Zoning Commission, Mayor and Council

4484 Marietta St.

Powder Springs, GA 30127

Westgate Church has a twenty-year history in the Powder Springs community. It began when Spirit Life Church moved into its current building on Hill Road, relocating from Austell in 1999. In 2010 a group left to plant a new church and Westgate Church was launched. We met for 7 years at 4010 Fambrough Drive sharing a building with Hearts Academy. This arrangement ended last July and we have been meeting at Baggett Elementary School in Paulding County since. We have been looking for a suitable building to lease or purchase that is close to our original location, since many of our church attendees live in Powder Springs and the adjacent area.

Our time at Fambrough Drive was a great time for our church. We experienced growth and were able to impact the community in a positive way providing a church that is passionate about seeing people grow in their faith and ministering to people in need. The location also worked well from a logistics standpoint. There was plenty of parking and traffic ingress/egress from Fambrough to Florence flowed well.

We were pleased to learn of the property located at 3217 New Macland Rd. The property meets our most pressing needs which are: 9k square feet which is big enough for children activities and worship gatherings on Sunday mornings, enough parking to accommodate ~100 automobiles and a central location to our members and regular attenders.

We are seeking a hardship variance. The section below provides a **description of our appeal**.

Line (b) of the UDC section 4-70 states: "**Minimum acreage.** The church or place of worship shall be established on a lot having a minimum area of two acres dedicated to the use." The

building sits on 6.35 acres. While it is true, that we won't have 2 acres dedicated solely for our use, we don't foresee any problem.

Most of our activities happen on Sunday. We have our worship gathering at 10:30 a.m. and youth activities at 5 p.m. The usage throughout the week is limited to office use and other small group meetings.

We have no plans for any external modifications to the building property except for adding appropriate signage to the façade and entrance to the building. There will, of course, need to be modifications to the interior of the building and we plan hire a general contractor to oversee that project.

We respectfully submit our request and ask that you approve the hardship variance so that we can continue being a part of the community we love and our people live in. We promise to continue to be an asset as we share the faith, hope and love of the gospel message of Jesus and minister to those hurting and struggling.

Thank you,

Dwayne Terry – Pastor  
Heath Houston – Elder

