



city of powder springs

Variance Request

Application Checklist

Applicant Information

Name <i>Shelia Lee</i>	Phone [REDACTED]
Mailing Address <i>3465 Old Lost Mountain RD</i>	Email [REDACTED]

Application Checklist

The following information will be required:

1. Application
 2. Notice of Intent
 3. Applicant's Written Analysis
 4. Campaign Contribution Disclosure
 5. Owner's Authorization, if applicable. *N/A*
 6. Legal Description and Survey Plat of the property *only (Site Drawing enclosed)*
 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: *N/A*
 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. *N/A*
- List additional attachments: *Picture of proposed fence aesthetic, Lot Drawing*

Note Carefully

If your application qualifies as a "Development of Regional Impact" (see Article 13) then you must follow additional procedures BEFORE your application can be considered. The Community Development Department will assist you with the DRI process, which is mandated by State and GRTA requirements.

Indicate the current zoning district of the property, and the zoning district you are requesting. File a separate application for each Rezoning request naming a different zoning district. A Special Use request, Variance request can be filed concurrently with a Rezoning request on the same property by separate application.



**city of
powder springs**
Variance Request
Application Packet

Applicant's Public Notice Requirements

The Code requires public notice of your Rezoning request, Special Use and Variance requests. The Community Development Department will tell you when and where the Planning and Zoning Commission and the Mayor and Council meetings will be held.

Newspaper: The City will publish a legal notice in the newspaper regarding your application and announcing the time and place of the public hearing. At least 15 days before the Mayor and Council but no more than 45 days prior to the date of the public hearing.

Sign Posting, Public Hearing Notice & Affidavit

Sign Posting: The applicant shall be required to post and maintain signs supplied by the City on or near the right-of way of the nearest public street, so as to be visible from the street for at least 15 days and not more than 45 days immediately preceding the date for the governing body's public hearing on the rezoning or special use application. It is your responsibility to post the signs and to maintain the signs during the posting period. Failure to post and maintain the signs continuously may prohibit consideration of the application at any scheduled public hearing. In the event the signs are not posted continuously, the City, in its sole discretion, may require the reposting and re-advertising prior to any future public hearing, for which the applicant shall pay an additional re-advertising fee. The City may also in its sole discretion, continue, hold, approve, or dismiss the application. Any dismissal under the provisions of this paragraph shall be with prejudice unless specifically noted as being without prejudice by the City.

Public Hearing Notice: At least 15 days before the Planning & Zoning Commission's public hearing, you are to mail a notice to all persons owning property within 200 feet of the property that is the subject matter of the zoning change. The notice is to state the time, place and purpose of the hearings, and include a page size copy of the sketch plan submitted with the application.

Affidavit: Prior to the public hearing you must also submit an affidavit with a copy of the notice to the Community Development Director listing the property owners and certifying the date that the notices were mailed (form attached)

City Actions

The Community Development Department will date your application when it is received. The Community Development Department has five (5) working days in which to determine that your application is complete or to return it to you for additional information. The application will not be scheduled for public hearing until it is complete. The Planning Commission's public hearing will be held at the time advertised. At the public hearing, you will be allowed to speak first in order to present the application. Others in support of the application may then speak, followed by those in opposition to the application. You may then be allowed time for rebuttal if adequate time remains. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing. After the Planning Commission has made their recommendation, the Mayor and City Council will consider approval or denial of the application at their own public hearing. You or a representative thereof with authority to make binding commitments to the City with respect to any stipulations that may be offered in connection with such application shall attend the meetings, and make a presentation following the same procedure as the Planning Commission hearing. The final action taken by the Mayor and City Council will be indicated on the application form, along with any stipulations that they impose on the property if approved, and a copy will be given to you as official notice of their final action.

Contact Information

The Community Development Dept.
4488 Pineview Drive
Powder Springs GA 30127.
commdev@cityofpowdersprings.org
770-943-1666

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



city of powder springs

Variance Request

Application Form

Applicant Information

Name <u>Shelia Lee</u>	Phone <u>[REDACTED]</u>
Mailing Address <u>3455 OLD LOST Mountain RD</u>	Email <u>[REDACTED]</u>

Variance Request Property Information

Address <u>3455 OLD LOST Mountain RD</u>	Parcel ID / Lot# <u>19075400500</u>
Acreage <u>.55 acre</u>	Present Zoning <u>R3</u>
Variance Request <u>5' feet High front fence installation</u>	
Source of Water Supply <u>City</u>	Source of Sewage Disposal <u>City</u>

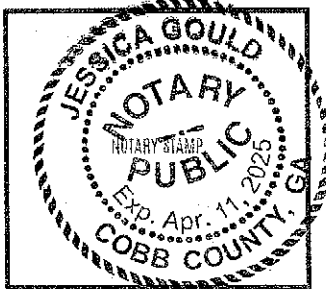
Additional Information, If Applicable

Elementary School and School's Capacity <u>N/A</u>	Middle School and School's Capacity <u>N/A</u>
High School and School's Capacity <u>N/A</u>	Peak Hours Trips Generated <u>N/A</u>

Notary Attestation

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

<u>Shelia Lee</u> Signature of Applicant	<u>SHELIA LEE</u> Printed Name	<u>9-27-22</u> Date
Subscribed and sworn before me this <u>27th</u> day of <u>Sept</u> month, 20 <u>22</u>		
<u>[Signature]</u> Signature of Notary Public	<u>Jessica Gould</u> Name of Notary Public	<u>01/11/2025</u> My Commission Expires



For Official Use Only

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

 city of
powder springs
Variance Request
Notice of Intent

Applicant Information

Name SHELIA Lee

Phone [REDACTED]

Mailing Address 3455 OLD LOST MOUNTAIN RD

Email [REDACTED]

Notice of Intent

PART I. Please indicate the purpose of this application :

To gain permission to complete a front fence installation.

PART II. Please list all requested variances:

To install a split rail/estate fence to stand 5' feet tall on the front side of our residential property.

Part III. Existing use of subject property:

Single family residential only, family Domicile.

Part IV. Proposed use of subject property: To further use the property as our residential home but to provide a safer way of living for our family, children and pets.

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

The aesthetics of the fence matches or is comparable to the other front fences on same road.

The placement, style and height of the fence will not impair traffic flow. The fence will hopefully eliminate trespassing and vandalism experienced.

Applicant Signature



Signature of Applicant

SHelia Lee

Printed Name

9-26-22

Date



city of powder springs
Variance Request
Applicant's Written Analysis

Applicant Information

Name Shelia Lee

Phone [REDACTED]

Mailing Address 3455 Old Lost Mountain Rd

Email [REDACTED]

Written Analysis In details please address these Variance Criteria:

a. Are there extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district. NO

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. yes

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 NO

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. yes

e. The special circumstances are not the result of the actions of the applicant. NO

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. yes

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. NO

Applicant Signature

Shelia Lee SHELIA LEE 9-26-22
 Signature of Applicant Printed Name Date



city of powder springs

Variance Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name <u>Shelia Lee</u>	Applicant's Address <u>3455 Old Lost Mountain RD</u>
Applicant's Attorney <u>N/A</u>	Attorney's Address <u>N/A</u>

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:

SHELIA Lee

~~_____~~ ~~_____~~

~~_____~~ ~~_____~~

~~_____~~ ~~_____~~

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: NO

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
<u>N/A</u>	<u>N/A</u>	<u>N/A</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>N/A</u>	<u>N/A</u>	<u>N/A</u>



city of powder springs

Variance Request

Owner's Authorization Form

Owner's Authorization

Applicant Name SHELIA Lee

3455 OLD LOST MOUNTAIN RD
Applicant's Address Powder Spring, GA 30127

Property Address 3455 OLD LOST MTH RD Powder Springs, GA

Property PIN

This is to certify that I am or We are or I am the Authorized Representative of a Corporation that is the owner of a majority interest in the subject property of the attached application. By execution of this form, this is to authorize the person names as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following: N/A

Check all that apply:

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

Signature of Property Owner(s)

~~Signature of Owner _____ Printed Name _____ Date _____~~

~~State of _____, County of _____.~~

~~This instrument was acknowledged before me this _____ day of _____ month,~~

~~20 _____, by _____ name of signer. Identification Presented: _____~~

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

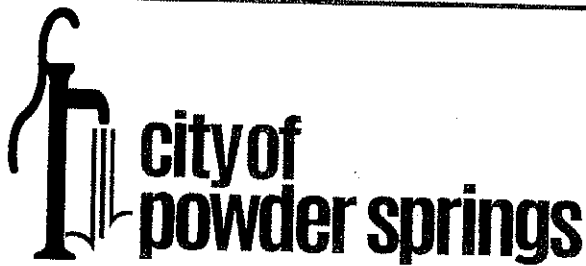
~~Signature of Owner _____ Printed Name _____ Date _____~~

~~State of _____, County of _____.~~

~~This instrument was acknowledged before me this _____ day of _____ month,~~

~~20 _____, by _____ name of signer. Identification Presented: _____~~

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



city of powder springs

Affidavit of Public Notification

Public Notification Requirements

Per Article 13 and 14 of the City of Powder Springs Unified Development Code, I certify that I have met the advertising requirements of Article 13 and Article 14 for a Special Use, Variance or Rezoning application for subject property located at 3455 Old Lost Mountain RD

Notices were mailed to all persons owning property located in whole or in part within 200 feet of any portion of the property that is the subject of the rezoning, special use or variance application. The written notice was mailed to the property owners as such names and addresses appear on the County's current ad valorem tax records on 10-5-22. Said notices were mailed at least 15 days but no more than 45 days prior to the Mayor and Council first public hearing date.

Signs were placed on the subject property advertising said hearing on NOV 7, 2022. One sign was placed at each road frontage at least 15 days prior to the Mayor and Council first hearing date.

Please attach the following to affidavit: notices, list of addresses, picture of sign posted on property and any receipt or documentation that was provided at the post office.

Please sign affidavit after letters have been mailed out to neighboring lot owners within 200 feet of the subject site and sign/s have been posted on subject site.

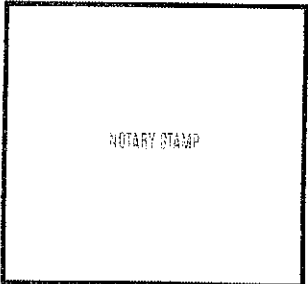
Notary Attestation

Executed in _____ (City), _____ (State).

Signature of Applicant Printed Name Date

Subscribed and sworn before me this _____ day of _____ month, 20____.

Signature of Notary Public Name of Notary Public My Commission Expires





Fee Schedule

FEES – Updated 11/5/2018. Please verify cost with staff

Variance, residential	\$ 250.00
Variance, commercial	\$ 450.00
Special Use	\$ 250.00
Rezoning Application, single family, 0-5 acres	\$ 250.00
Rezoning Application, single family, 6-10 acres	\$ 700.00
Rezoning Application, single family, 11-20 acres	\$ 1,000.00
Rezoning Application, single family, 21-100 acres	\$ 1,500.00
Rezoning Application, single family, => 101 acres	\$ 1,500.00 + \$30/acre
Rezoning Application, undeveloped med/high density residential, 0-5 acres	\$ 700.00
Zoning - Rezoning Application, undeveloped med/high density residential, 6-10 acres	\$ 1,200.00
Zoning - Rezoning Application, undeveloped med/high density residential, 11-20 acres	\$ 1,500.00
Zoning - Rezoning Application, undeveloped med/high density residential, 21-100 acres	\$ 2,000.00
Rezoning Application, undeveloped med/high density residential, => 101 acres	\$ 2,000.00 + \$40 /acre
Rezoning Application, undeveloped non-residential, 0-5 acre	\$ 900.00
Rezoning Application, undeveloped non-residential, 6-10 acres	\$ 1,500.00
Rezoning Application, undeveloped non-residential, 11-20 acres	\$ 1,800.00
Rezoning Application, undeveloped non-residential, 21-100 acres	\$ 2,200.00
Rezoning Application, undeveloped non-residential, => 101 acres	\$ 2,200.00 + \$50 /acre
Zoning - Rezoning Application, developed med/high density residential, 0-20,000 SF	\$ 700.00
Rezoning Application, developed med/high density residential, 20,0001 - 50,000 SF	\$ 1,200.00
Rezoning Application, developed med/high density residential, 50,001 - 100,000 SF	\$ 1,500.00
Rezoning Application, developed med/high density residential, 100,001 - 500,000 SF	\$ 2,000.00
Rezoning Application, developed med/high density residential, => 500,001 SF	\$ 2,000.00 \$90 /100,000 SF
Rezoning Application, developed non-residential, 0-20,000 SF	\$ 900.00
Rezoning Application, developed non-residential, 20,001-50,000 SF	\$ 1,500.00
Rezoning Application, developed non-residential, 50,001-100,000 SF	\$ 1,800.00
Rezoning Application, developed non-residential, 100,001-500,000 SF	\$ 2,200.00
Rezoning Application, developed non-residential, => 500,001 SF	\$ 2,200.00 + \$115 /100,000 SF
Public Hearing signs	\$ 25.00
Public Hearing signs - Deposit	\$ 10.00

Loan Number: [REDACTED]

Date: FEBRUARY 1, 2021

Property Address: 3455 OLD LOST MOUNTAIN ROAD
POWDER SPRINGS, GEORGIA 30127

EXHIBIT "A"

LEGAL DESCRIPTION

SEE ATTACHED EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

A.P.N. #: 19075400500



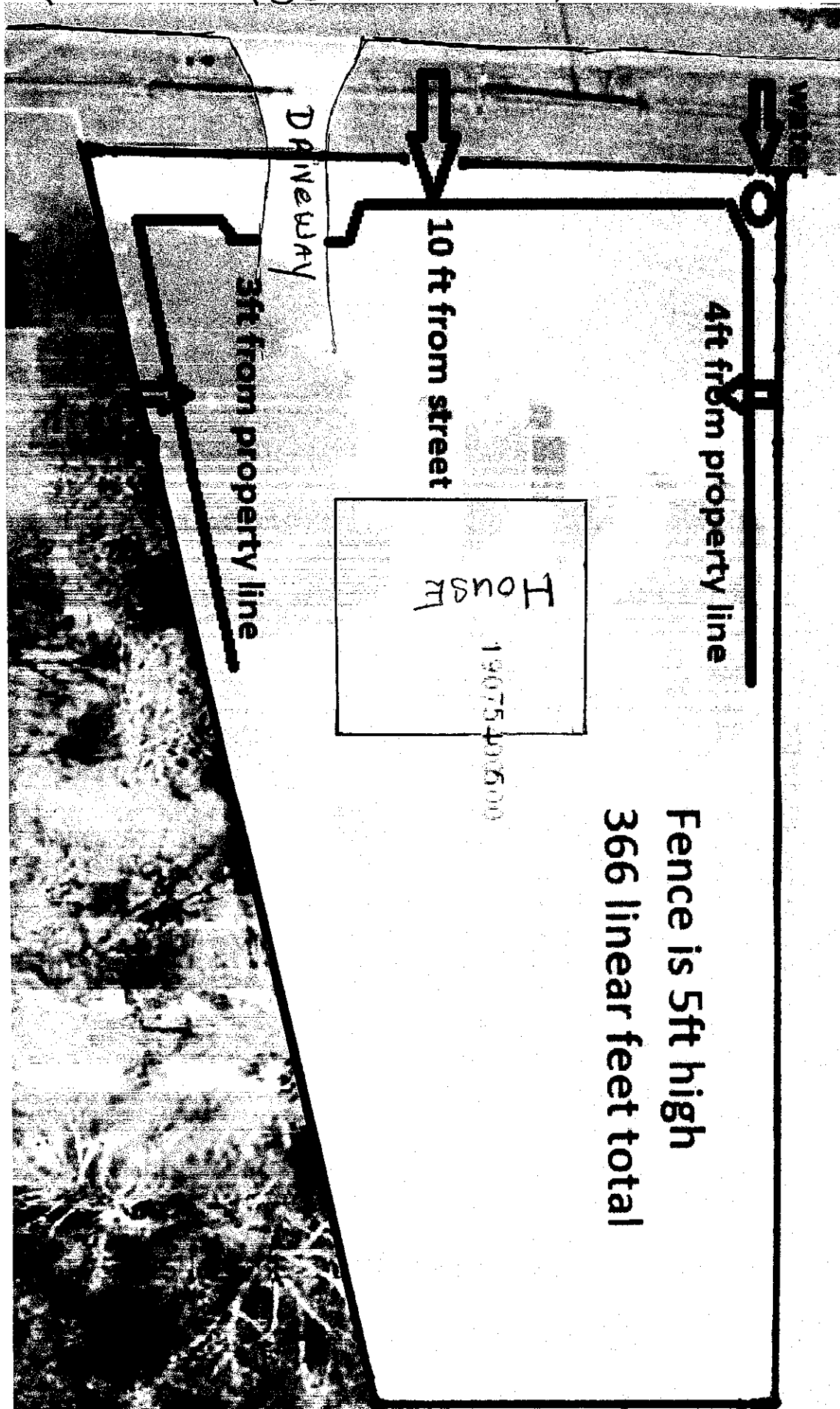
EXHIBIT "A"
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 754 and 801, 19th District, 2nd Section, Cobb County, Georgia, containing .55 acre, more or less, and more particularly shown on plat of survey prepared by William M. Herndon, Jr., RLS No.1883, for first Georgia Homes, Inc., dated 12/29/82, revised 4/15/94, said property being more particularly described according to said plat of survey as follows:

Beginning at an iron pin set on the easterly right of way of Old Lost Mountain Road a distance of 1871.95 feet southerly from the intersection of the easterly right of way of Old Lost Mountain Road with the centerline of Macedonia Road; running thence south 87 degrees 04 minutes 36 seconds East a distance of 224.28 feet to an iron pin set; running thence south 2 degrees 55 minutes 24 seconds west a distance of 82.38 feet to an iron pin set; running thence south 80 degrees 53 minutes 41 seconds west a distance of 230.64 feet to an iron pin set on the easterly right of way of Old Lost Mountain Road; running thence northeasterly along the easterly right of way of Old Lost Mountain Road an arc distance of 130.45 feet (said call being subtended by a chord bearing of north 3 degrees 29 minutes 32 seconds east and a chord distance of 130.45 feet) to an iron pin set which is the point of beginning.



← STREET →



4ft from property line

10 ft from street

3ft from property line

HOUSE

19075 401600

Fence is 5ft high
366 linear feet total

After Recording Return To:
HOME FUNDING CORP.
10718 CIVIC CENTER DRIVE
RANCHO CUCAMONGA, CALIFORNIA 91730
Loan Number: [REDACTED]

[Space Above This Line For Recording Data]

SECURITY DEED

MIN: [REDACTED]

MERS Phone: [REDACTED]

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

- (A) "Security Instrument" means this document, which is dated FEBRUARY 1, 2021, together with all Riders to this document.
- (B) "Borrower" is SHELIA R LEE, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

Borrower is the grantor under this Security Instrument.

- (C) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the grantee under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. [REDACTED].
- (D) "Lender" is HOME FUNDING CORP.

Lender is a NEVADA CORPORATION organized and existing under the laws of NEVADA
Lender's address is 10718 CIVIC CENTER DRIVE, RANCHO CUCAMONGA, CALIFORNIA 91730

- (E) "Note" means the promissory note signed by Borrower and dated FEBRUARY 1, 2021. The Note states that Borrower owes Lender TWO HUNDRED FORTY-TWO THOUSAND TWO HUNDRED FIFTY AND 00/100 Dollars (U.S. \$ 242,250.00) plus interest.



Instrument, but only if the fee is paid to a third party for services rendered and the charging of the fee is permitted under Applicable Law.

24. **Waiver of Homestead.** Borrower waives all rights of homestead exemption in the Property.

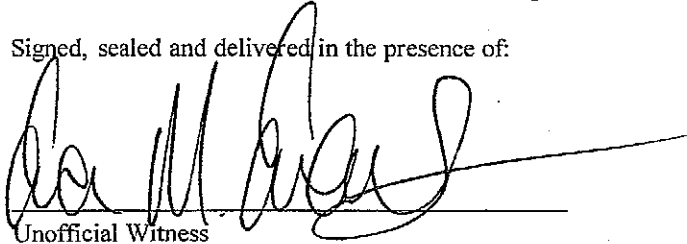
25. **Assumption Not a Novation.** Lender's acceptance of an assumption of the obligations of this Security Instrument and the Note, and any release of Borrower in connection therewith, shall not constitute a novation.


26. **Security Deed.** This conveyance is to be construed under the existing laws of the State of Georgia as a deed passing title, and not as a mortgage, and is intended to secure the payment of all sums secured hereby.


BORROWER ACCEPTS AND AGREES to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

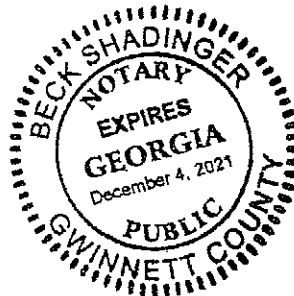
IN WITNESS WHEREOF, Borrower has signed and sealed this Security Instrument.

Signed, sealed and delivered in the presence of:


Unofficial Witness

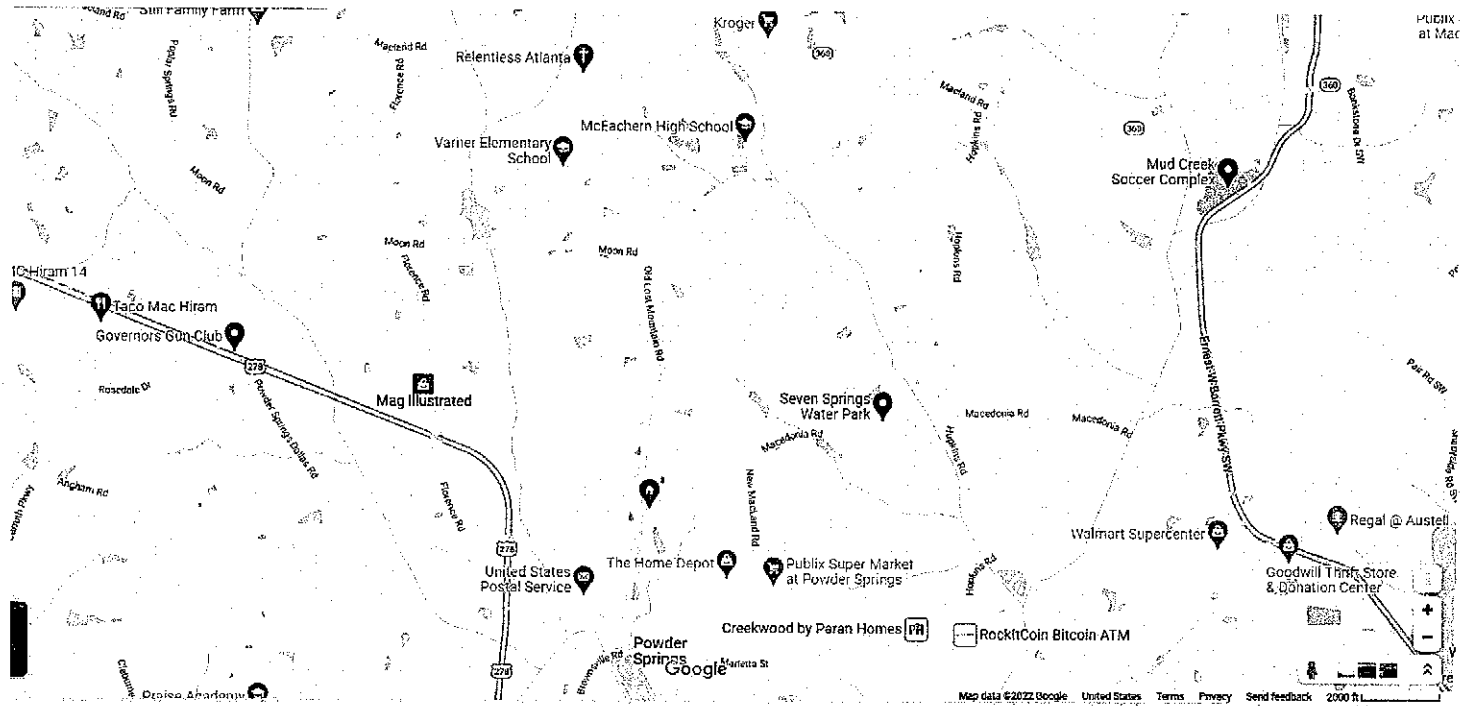

Shelia R Lee (Seal)
-Borrower


Notary Public, Gwinnett ~~COBB~~ County



Loan Originator: OREIBIS GERALDE, NMLSR ID [REDACTED]
Loan Originator Organization: HOME FUNDING CORPORATION, NMLSR ID [REDACTED]





Relentless Atlanta

Variier Elementary School

McEachern High School

Kroger

Mud Creek Soccer Complex

ICHiram 14

Taco Mac Hiram

Governors Gun Club

Mag Illustrated

Seven Springs Water Park

United States Postal Service

The Home Depot

Publix Super Market at Powder Springs

Powder Springs

Creekwood by Paran Homes

RockhCoin Bitcoin ATM

Walmart Supercenter

Regal @ Austell

Goodwill Thrift Store & Donation Center

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