



# city of powder springs

## Special Use Request

### Application Form

### Applicant Information

Name Eugene Idlett	Phone [REDACTED]
Mailing Address 1202 new horizon st	Email [REDACTED]

### Special Use Request Property Information

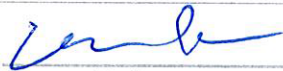
Address 3980/3982 austell powder springs rd	Parcel ID / Lot#	Acreage 1.57
Present Zoning retail c-4	Special Use Request	
Source of Water Supply yes	Source of Sewage Disposal cobb water	
Peak Hour Trips Generated	Source of Trip Information	

### Additional Information, If Applicable

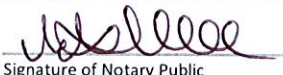
Elementary School and School's Capacity N/a	Middle School and School's Capacity N/a
High School and School's Capacity N/a	

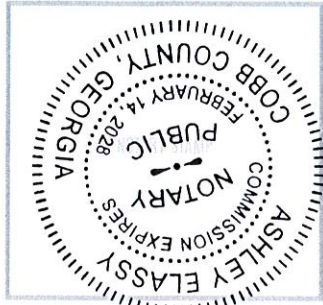
### Notary Attestation

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

	<u>Eugene Idlett</u>	<u>4-24-21</u>
Signature of Applicant	Printed Name	Date

Subscribed and sworn before me this 24 day of April, 2021

	<u>Ashley Elassy</u>	<u>Feb 14 2028</u>
Signature of Notary Public	Name of Notary Public	My Commission Expires



### For Official Use Only

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



# Special Use Request

## Notice of Intent

### Applicant Information

Name Eugene Idlett	Phone [REDACTED]
Mailing Address 1202 new horizon st	Email [REDACTED]

### Notice of Intent

**PART I.** Please indicate the purpose of this application :

re-new special use

**PART II.** Please list all requested variances:

N/a

**Part III.** Existing use of subject property:

Food truck park

**Part IV.** Proposed use of subject property:

Food truck park and beer garden

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

### Applicant Signature

Signature of Applicant	Printed Name	Date
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# Special Use Request

## Applicant's Written Analysis

### Applicant Information

Name Eugene Idlett	Phone [REDACTED]
Mailing Address 1202 new horizon st	Email [REDACTED]

### Written Analysis

In details please address these Special Use Criteria:

a. Whether the proposed special use is consistent with the stated purpose of the zoning district in which it will be located.	yes
b. Whether the proposed zoning district and uses permitted within that district are suitable in view of the zoning and development of adjacent and nearby property.	yes
c. Whether the location and character of the proposed special use are consistent with a desirable pattern of development in general.	yes
d. Whether the type of street providing access to the use is or will be adequate to serve the proposed special use.	yes
e. Whether access into and out of the property is or will be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles.	yes
f. Whether public facilities such as schools, water or sewer utilities, and police or fire protection are or will be adequate to serve the use.	yes
g. Whether refuse, service, parking and loading areas on the property will be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor.	yes
h. Whether the hours and manner of operation of the special use will have adverse effects on other properties in the area.	no
i. Whether the height, size or location of the buildings or other structures on the property are or will be compatible with the height, size or location of buildings or other structures on neighboring properties.	yes



# Special Use Request

## Campaign Contribution Disclosure

### Applicant and Attorney Information

Applicant's Name **Eugene Idlett**

Applicant's Address **1202 new horizon st**

Applicant's Attorney

Attorney's Address

### 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:

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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
_____	_____	_____

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
_____	_____	_____



# Special Use Request Owner's Authorization Form

## Owner's Authorization

Applicant Name Eugene Idlett Applicant's Address 1202 new horizon st

Property Address 3980/3982 Austell powder springs 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:

Check all that apply:

Rezoning <input type="checkbox"/>	Special Use <input checked="" 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"/>

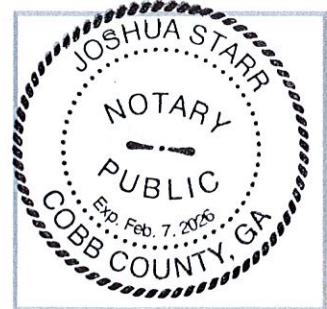
## Signature of Property Owner(s)

[Signature] Eugene IDLETT 4-24-24  
Signature of Owner Printed Name Date

State of GA, County of Cobb.

This instrument was acknowledged before me this 24<sup>th</sup> day of April month.

20 24, by Eugene Idlett name of signer. Identification Presented: GA DL



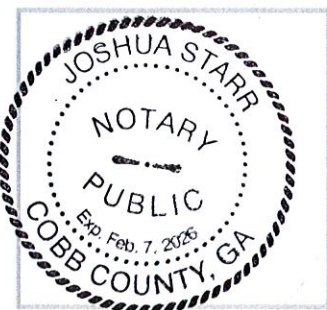
[Signature] Joshua Starr 02/07/2026  
Signature of Notary Public Name of Notary Public My Commission Expires

[Signature] MOISES Ca 4-24-24  
Signature of Owner Printed Name Date

State of GA, County of Cobb.

This instrument was acknowledged before me this 24<sup>th</sup> day of April month.

20 24, by Moises Cardenas name of signer. Identification Presented: GA DL



[Signature] Joshua Starr 02/07/2026  
Signature of Notary Public Name of Notary Public My Commission Expires



## 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 3980/3982 Austell powder springs 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 \_\_\_\_\_. 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 \_\_\_\_\_. 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, $\geq$ 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, $\geq$ 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, $\geq$ 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, $\geq$ 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, $\geq$ 500,001 SF	\$ 2,200.00 + \$115 /100,000 SF
Public Hearing signs	\$ 25.00
Public Hearing signs - Deposit	\$ 10.00





## Memorandum

**Date:** July 17, 2023.

**To:** Mayor and Council

**From:** Community Development

**Subject:** **PZ 23-018. Special Use Request to modify the conditions of approval of PZ 23-006 for a food truck park. The property is located at 3980 & 3982 Austell Powder Springs Road, within land lot 905 of the 19th District, 2nd Section, Cobb County, Georgia.**

**Action:**

A motion to Approve with the following conditions:

1. The special use approval is valid for one year from the date of approval. The applicant must reapply for special use prior to expiration and is subject to all provisions of the Food Truck Park Specific Use Provisions, Sec 4-146 as may be adopted or amended.
2. The special use approval is for the food truck park, outdoor storage of food trucks, the use of a shipping container for a point of sale, subject to the issuance of permits and licenses required by the city, county and state. The modified shipping container shall be subject to the requirements for commercial building permit, design review, construction and site plan approval and meet other applicable city, county and state requirements.
3. The site plan, annotated with City of Powder Springs approval conditions (07/12/2023) and as approved by the Cobb County Fire Marshal on 7/12/2023 is the approved site plan. This site plan may be amended and approved administratively to allow updated City of Powder Springs approval notes reflecting conditions of approval on July 17, 2023, and to allow 1 intermodal container subject to meeting all requirements of the City of Powder Springs, Cobb County Fire Marshal, the Georgia Department of Community Affairs and other applicable agencies.
4. Food service shall only come from food trucks (mobile food units). No food shall be served or prepared for service outside of the mobile food units, including but not limited to a prohibition on the use of grills. Providers must be licensed with the City of Powder Springs. All mobile food units must meet all Cobb Douglas Public Health requirements or Department of Agriculture, whichever is applicable. Food vendors without a mobile unit are prohibited, except by approved Temporary Event Permit.

5. Hours of operation are limited to 8 am to 10 pm. No food or beverages shall be prepared or served on the premises outside of the hours of 8 am to 10 pm. No one shall be allowed to gather on the premises and consume food or beverages or for any other purpose, other than for maintenance purposes, outside of the hours of 8 am to 10 pm.
6. A maximum of 10 food trucks are allowed on site at any time. All must be properly licensed with current tags and health department permits.
7. Parking Ratio: The site must have a minimum of 3 customer parking spaces per operating food truck.
8. The applicant shall install permanent indoor restrooms for public use within three months of issuance of an Occupational Tax License. Failure to have approved and operating permanent indoor restrooms within three months of the issuance of an Occupational Tax License may result in the revocation of the Occupational Tax License and/or any certificate of occupancy. Portable toilets will be reviewed as part of permitted special events. The number of stalls subject to the approval of Cobb Douglas Public Health, Cobb County Fire Marshal and the City of Powder Springs.
9. Dumpster and grease trap enclosure shall be compliant with the City's development standards (Section 5-5.9) within six months of the issuance of the Occupational Tax Certificate.
10. Overnight storage of food trucks on 3980 Austell Powder Springs Road shall be for trucks with a signed one year's lease and must serve the public from this location at least 3 days per week. Overnight storage location for the food trucks shall not be visible from the Austell Powder Springs Road.
11. Applicant to coordinate and permit necessary construction with the Cobb County Fire Marshal, Cobb County Water System, the City of Powder Springs, and Cobb and Douglas Public Health, and the Georgia Department of Community Affairs. This shall include all building, design review, construction and site plan review for all structures, including but not limited to any shipping container.
- ✓12. Applicant to permit any proposed signage with the City of Powder Springs. This initial sign may be a temporary sign, subject to the time limit provisions of the special event/temporary sign code, after which the applicant must install a permanent sign.

13. No perimeter or front yard fencing is allowed. Any proposed interior security fencing (including materials and height) shall be subject to approval from the Community Development Department, subject to Design Review and approval and shall only be permitted if required by any other section of the Unified Development Code or Code of Ordinances.
14. Applicant to utilize City of Powder Springs police officers to control traffic and ensure safety with pedestrian users of the proposed trail on a case by case, event by event basis.
15. Applicant to provide screening plan(s) for storage unit and dumpster area, subject to review and approval by the City of Powder Springs Community Development Department.
- ✓ 16. No alcohol is to be consumed or sold on the premises. If the City of Powder Springs amends its alcohol beverage ordinance to allow the beer garden or outdoor alcohol licenses, then the applicant may apply for said alcoholic beverage license if the applicant meets the requirements. If the applicant meets those requirements and obtains the required local and state permits and licenses for alcoholic beverage sales, then the alcoholic beverages may be consumed and sold on the premises upon the issuance of the said license, subject to all local and state requirements.
17. The applicant must maintain control of both parcels, by lease and/ or ownership, to continue the special use. The approval is nullified if 3982 Austell Powder Springs Road is not controlled by the applicant. Should said property change ownership to someone other than the applicant, the approval is nullified. If the approval is nullified due to changes in control, the applicant must reapply for special use approval to continue the use. Should the applicant purchase have said property, then the lots must re-platted via the Lot Combination Application process.
18. Events with amplified sound require a Temporary Event Permit issued by the City of Powder Springs, on a case-by-case basis. No temporary event shall be approved while open code enforcement violations exist. All code enforcement concerns / warnings / violations must be addressed expeditiously.
19. Free-standing chairs and other temporary furniture shall be ~~stored overnight in an approved enclosed structure.~~ *Secured overnight as required. JN.*
20. No grills outside of mobile unit are allowed, except if approved or authorized by Cobb Douglas Public Health and associated with an operating mobile food unit.



- 21. Adequate trash receptacles shall be provided on the premises to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. Such receptacles shall be located no more than ten feet from each food truck. The food truck park operator shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.
- 22. All mobile food units must be located on an improved surface and as shown on the approved site plan.
- ✓23. No outdoor non-food vendors shall be allowed, unless a temporary event permit has been obtained for specific day(s) and time(s), in which case the non-food vendors will be allowed during those approved temporary event hours and the number of non-food vendors shall be limited to 1 non-food vendor per 5 food truck vendors. The approved non-food vendors must obtain all necessary permits and licenses and be contained within a vehicle or specific tent or table dedicated to the non-food vendor.

So motioned, this 17th day of July 2023.

Absent  
 Albert Thurman, Mayor

Patrick Bordelon  
 Patrick Bordelon, Council

Member

Doris Dawkins  
 Doris Dawkins, Council Member

Patricia Wisdom  
 Patricia Wisdom, Council Member

Henry Lust  
 Henry Lust, Council Member

Dwayne Green no vote  
 Dwayne Green, Council Member

Attest: Kelly Axt  
 Kelly Axt, City Clerk

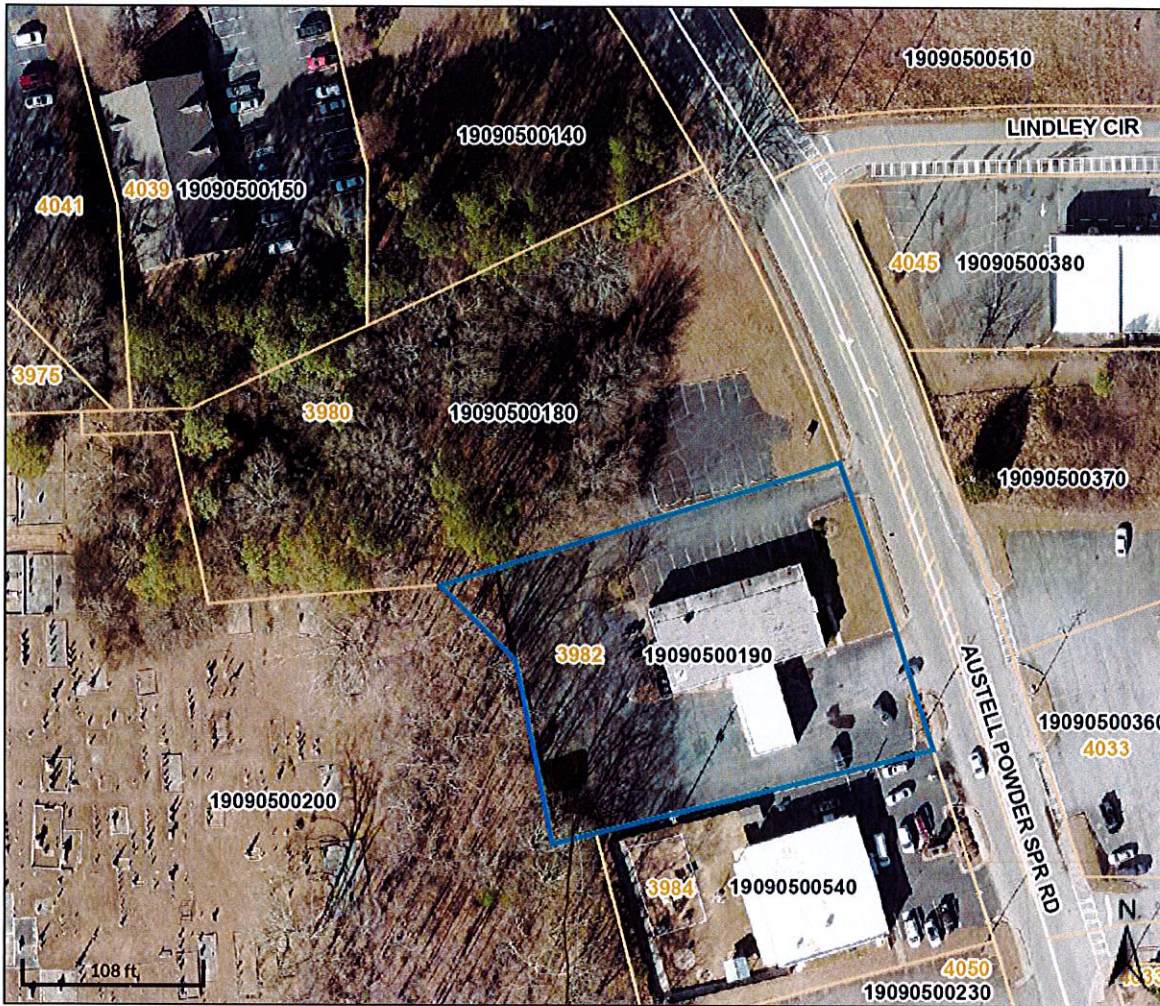


Building Review By SAFEbuild.  
 NOV 17 2023  
 DavidDorczak

3980-3982 Austell Powder Springs Rd SW  
 Powder Springs, GA 30127  
 1"=40'







Overview



Legend

- ▲ Administrative Facilities
- ▣ Libraries
- ▣ Police Stations
- Fire Stations
- County Parks
- Federal Parks
- House Number Labels
- Parcels
- Roads
  - ARTERIAL
  - INTERSTATE
  - LOCAL
  - MAJOR
  - MINOR
  - PRIVATE
  - RAMP

Parcel ID	19090500190	Physical Address	3982 AUSTELL POWDER SPRINGS RD SW	Last 2 Sales							
Class Code	C4 - Commercial Small Tracts	Owner	CARDENAS MOISES ANDRADE & CARDENAS NAVARRO LETICIA	Date	2/20/2020	Price	\$280000	Reason	VALID SALE	Qual	Q
Taxing District	(5) POWDER SPRINGS		5707 HILL RD	Date	5/20/2004	Price	\$550000	Reason	n/a	Qual	U
Acres	1.281		POWDER SPRINGS GA 30127								

Date created: 4/23/2024  
 Last Data Uploaded: 4/23/2024 12:23:47 PM

Developed by Schneider GEOSPATIAL

DUMPTER LOCATION

