



city of  
powder springs

# Special Use 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.**  
4181 Atlanta Street  
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

# Special Use Request

## Application Checklist

### Applicant Information

Name	Aissatou Barry and Ibrahim Diallo	Phone	[REDACTED]
Mailing Address	3401 Redwood Forest Lane, Powder Sprs, GA 30127	Email	[REDACTED]

### 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:

### 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  
**Special Use Request**  
 Application Form

### Applicant Information

Name	Aissatou Barry and Ibrahim Diallo	Phone	[REDACTED]
Mailing Address	3401 Redwood Forest Lane, Powder Sprs, GA 30127	Email	[REDACTED]

### Special Use Request Property Information

Address	3401 Redwood Forest Lane, Powder Springs, GA 30127	Parcel ID / Lot#	19-0821-0-047-0	Acreage	0.35
Present Zoning	R15C	Special Use Request	Fence along Story Road		
Source of Water Supply	Public Water	Source of Sewage Disposal	County Sewer		
Peak Hour Trips Generated		Source of Trip Information			

### Additional Information, If Applicable

Elementary School and School's Capacity	Middle School and School's Capacity
High School and School's Capacity	

### Notary Attestation

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

	<u>Aissatou Barry / Ibrahim Diallo</u>	<u>5/15/24</u>
Signature of Applicant	Printed Name	Date

Subscribed and sworn before me this 15<sup>th</sup> day of May, 2024.

	<u>John H. Skelton</u>	<u>11/3/2027</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

 city of powder springs  
**Special Use Request**  
Notice of Intent

### Applicant Information

Name **Aissatou Barry and Ibrahim Diallo**

Phone [REDACTED]

Mailing Address 3401 Redwood Forest Lane, Powder Sprs, GA 30127

Email [REDACTED]

### Notice of Intent

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

The applicants built a fence that was approved by the HOA in Cameron Springs SD. Sometime later the applicants were cited by the City for the non-conforming fence. In negotiations with the city regarding the citations, it was determined that a Special Use Request was warranted.

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

The Applicants request that their fence be allowed to extend from the SW corner of their home to a point a few feet North of the Right-of-way of Story Road.

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

Residential - single-family residence.

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

No change

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

Powder Springs City ordinance for fences does not allow fences in front yards. The applicants' home is on a corner lot, and the applicants are seeking to enclose their side yard and have a barrier between their house and the busy arterial, Story Road. The applicants sought permission in permit # 23PDR-ADR00026, but were denied.

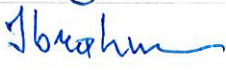
### Applicant Signature

  
Signature of Applicant

Aissatou Barry / Ibrahim Diallo

Printed Name

5/6/24  
Date

4 





# Special Use Request

## Applicant's Written Analysis

### Applicant Information

Name **Aissatou Barry and Ibrahim Diallo**

Phone [REDACTED]

Mailing Address **3401 Redwood Forest Lane, Powder Sprs, GA 30127**

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.  
The applicants believe that a fence enclosing their yard along Story Road and extending to their rear property line will not be derogation of the R15C zoning in which their home lies.
- 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.  
The fence the applicants have built is a well-engineered and attractive fence. It is nicer than the existing fences in the immediate area and should be allowed as it is not an eyesore and helps the applicants have privacy in more of their lot.
- c. Whether the location and character of the proposed special use are consistent with a desirable pattern of development in general.  
The applicants show that the fence is at or above the standard for fences in the immediate area and desire that the fence be allowed to stand in the proposed configuration sought in this application.
- d. Whether the type of street providing access to the use is or will be adequate to serve the proposed special use.  
The extension of the fence toward Story Road will not affect the streets at all.
- 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.  
Allowing the applicants' fence will not affect traffic, pedestrian safety, traffic flow volume or emergency vehicle access.
- 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.  
The schools, water and sewer and emergency services will not be affected and will remain adequate.
- 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.  
N/A
- h. Whether the hours and manner of operation of the special use will have adverse effects on other properties in the area.  
N/A
- 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.  
The fence for which applicants seek approval is not in derogation of any of the existing structures in the immediate area.



# Special Use Request

## Campaign Contribution Disclosure

### Applicant and Attorney Information

**Applicant's Name** Aissatou Barry and Ibrahim Diallo

**Applicant's Address** 3401 Redwood Forest Lane, Powder Springs, GA

**Applicant's Attorney** John H. Skelton

**Attorney's Address** 346 Lawrence Street, Marietta, GA 30060

*john@skeltonblackstone.com*

### 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:

Aissatou Barry \_\_\_\_\_  
 Ibrahim Diallo \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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
N/A	N/A	N/A

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
N/A	N/A	N/A





city of powder springs  
**Special Use Request**  
 Owner's Authorization Form

### Owner's Authorization

**Applicant Name** Aissatou Barry and Ibrahim Diallo **Applicant's Address** 3401 Redwood Forest Lane, Powder Springs, GA 30127

**Property Address** 3401 Redwood Forest Lane Powder Springs, GA **Property PIN** 19-0821-0-047-0

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)

 Ibrahim Aissatou Barry Ibrahim Diallo 5/6/24  
 Signature of Owner Printed Name Date

State of GA, County of COBB.

This instrument was acknowledged before me this 6<sup>th</sup> day of May.

20 24, by Aissatou Barry + Ibrahim Diallo. Identification Presented:

 John H. Skelton 11/3/2027  
 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 \_\_\_\_\_.

20 \_\_\_\_\_, by \_\_\_\_\_ Identification Presented: \_\_\_\_\_

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