



# Variance Request Application Checklist

## Applicant Information

Name \*Traton, LLC

Phone (770) 427-9064; \*(770) 429-1499

Mailing Address 720 Kennesaw Avenue, Marietta, GA 30060

Email christoston@tratonhomes.com; jkm@mijis.com

## 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: City and County 2022 Paid Tax Receipts

## 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 Applicant's and Property Owner's Representative Information



city of  
powder springs

# Variance Request

## Application Form

### Applicant Information

Name	*Traton, LLC	Phone	(770) 427-9064; *(770) 429-1499
Mailing Address	720 Kennesaw Avenue, Marietta, GA 30060	Email	chrisposton@tratonhomes.com; jkm@mijs.com

### Variance Request Property Information

Address	4414 & 4596 Lewis Road	Parcel ID / Lot#	19102400010; 19104900010
Acreage	13.81+/- acres	Present Zoning	PUD-R
Variance Request	See Notice of Intent and Written Analysis		


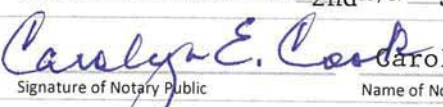
Source of Water Supply	Cobb County Water	Source of Sewage Disposal	Cobb County Water & Sewer
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### Additional Information, If Applicable

Elementary School and School's Capacity	Powder Springs Elementary - 69 under capacity	Middle School and School's Capacity	Cooper Middle School - 165 under capacity
High School and School's Capacity	McEachern High School - 203 under capacity South Cobb High School - 587 under capacity	Peak Hours Trips Generated	

### Notary Attestation

Executed in Marietta (City), GA (State).

BY: 	J. Kevin Moore	June 2, 2023
Signature of Applicant	Printed Name	Date
Attorneys for Applicant and Property Owner		
Subscribed and sworn before me this <u>2nd</u> day of <u>June</u> 20 <u>23</u>		
	Carolyn E. Cook	January 10, 2027
Signature of Notary Public	Name of Notary Public	My Commission Expires



**\*See Exhibit "A" for Applicant's and Property Owner's Representative Information**  
**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	*Traton, LLC	Phone	(770) 427-9064; *(770) 429-1499
Mailing Address	720 Kennesaw Avenue, Marietta, GA 30060	Email	chrisposton@tratonhomes.com; jkm@mijis.com

### Notice of Intent

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

The purpose of the variance is to seek a waiver of detention as meeting the detention requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.

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

Modification of requirements of Sec. 11-15 (Overbank Flooding Protection) and Sec. 11-16 (Extreme Flooding Protection) of the Unified Development Code.

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

Undeveloped, but zoned for residential development under PUD-R zoning classification.

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


Townhome community per zoning approval of September 19, 2022.

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

See Attached.

### Applicant Signature

MOORE INGRAM JOHNSON & STEELE, LLP

BY:  J. Kevin Moore June 2, 2023

Signature of Applicant GA Bar No. 519728 - Attorneys for Applicant and Property Owner Printed Name Date

**\*See Exhibit "A" for Applicant's and Property Owner's Representative Information**

# Variance Request

## Notice of Intent

Notice of Intent (Continued)

**Part V. Other Pertinent Information:**

Per Sec. 11-12, the City has adopted the Georgia Stormwater Management Manual. This Manual states there shall be no adverse impact on downstream conditions. In the no detention scenario, there is a rise in the 100-year elevation of 0.02 feet maximum. With a flood plain that gets approximately 300 feet wide, a rise of 0.02 inches does not have an adverse impact. For additional support, please see attached table from the hydrology analysis report. Downstream areas would see an adverse impact in increased flow if detention were provided as demonstrated by this report.



HEC-RAS River: 45 Reach: 45 Profile: EX100

Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
45	4150.879 639	EX100	pre	364.19	938.00	939.54	939.48	940.02	0.037291	5.55	65.62	60.86	0.93
45	4150.879 639	EX100	post direct release	364.19	938.00	939.54	939.48	940.02	0.037291	5.55	65.62	60.86	0.93
45	4150.879 639	EX100	post detention pond	364.19	938.00	939.54	939.48	940.02	0.037291	5.55	65.62	60.86	0.93
45	3953.848 631	EX100	pre	364.19	932.00	934.48	934.12	934.94	0.018910	5.45	69.56	49.96	0.72
45	3953.848 631	EX100	post direct release	364.19	932.00	934.48	934.12	934.94	0.018910	5.45	69.56	49.96	0.72
45	3953.848 631	EX100	post detention pond	364.19	932.00	934.48	934.12	934.94	0.018910	5.45	69.56	49.96	0.72
45	3732.373 118	EX100	pre	364.19	926.00	928.90	928.90	929.35	0.035317	7.26	77.68	94.92	0.90
45	3732.373 118	EX100	post direct release	364.19	926.00	928.90	928.90	929.35	0.035317	7.26	77.68	94.92	0.90
45	3732.373 118	EX100	post detention pond	364.19	926.00	928.90	928.90	929.35	0.035317	7.26	77.68	94.92	0.90
45	3433.373 269	EX100	pre	364.19	922.00	926.06	923.90	926.19	0.002160	3.00	156.10	71.53	0.27
45	3433.373 269	EX100	post direct release	364.19	922.00	926.06	923.90	926.19	0.002169	3.00	156.10	71.53	0.27
45	3433.373 269	EX100	post detention pond	364.19	922.00	926.06	923.90	926.19	0.002169	3.00	156.10	71.53	0.27
45	3348.43	EX100	pre	364.19	920.00	924.72	924.56	925.72	0.014343	8.94	78.25	48.20	0.78
45	3348.43	EX100	post direct release	364.19	920.00	924.83	924.56	925.74	0.012782	8.59	83.56	50.78	0.74
45	3348.43	EX100	post detention pond	364.19	920.00	924.83	924.56	925.74	0.012782	8.59	83.56	50.78	0.74
45	3259.904 633	EX100	pre	364.19	920.00	923.51	923.28	924.16	0.018991	6.91	79.20	60.15	0.72
45	3259.904 633	EX100	post direct release	364.19	920.00	923.28	923.28	924.13	0.027013	7.79	65.98	53.35	0.85
45	3259.904 633	EX100	post detention pond	364.19	920.00	923.28	923.28	924.13	0.027013	7.79	65.98	53.35	0.85
45	3199.46	EX100	pre	364.19	918.00	923.67	921.27	923.75	0.006858	2.97	191.58	67.35	0.23
45	3199.46	EX100	post direct release	364.19	918.00	923.46	921.27	923.56	0.001995	3.18	177.99	65.62	0.25
45	3199.46	EX100	post detention pond	364.19	918.00	923.46	921.27	923.56	0.001995	3.18	177.99	65.62	0.25
45	3133.373 270	EX100	pre	364.19	918.00	923.12	922.14	923.51	0.006208	6.01	124.56	69.76	0.48
45	3133.373 270	EX100	post direct release	364.19	918.00	922.44	922.14	923.20	0.017696	7.96	82.77	51.61	0.69
45	3133.373 270	EX100	post detention pond	364.19	918.00	922.44	922.14	923.20	0.017696	7.96	82.77	51.61	0.69
45	3032.68	EX100	pre	364.19	918.00	923.04	920.64	923.13	0.001491	2.75	243.23	118.58	0.23
45	3032.68	EX100	post direct release	364.19	918.00	921.47	920.64	921.84	0.009117	5.11	98.11	67.21	0.53
45	3032.68	EX100	post detention pond	364.19	918.00	921.47	920.64	921.84	0.009117	5.11	98.11	67.21	0.53
45	2930.574 632	EX100	pre	364.19	916.00	922.97	919.37	923.01	0.000691	2.29	387.87	129.04	0.16
45	2930.574 632	EX100	post direct release	364.19	916.00	920.97	919.37	921.17	0.004301	4.48	168.55	82.55	0.37
45	2930.574 632	EX100	post detention pond	364.19	916.00	920.97	919.37	921.17	0.004301	4.48	168.55	82.55	0.37
45	2856.03	EX100	pre	364.19	916.00	922.92	919.65	922.96	0.000692	2.24	386.28	123.34	0.15
45	2856.03	EX100	post direct release	364.19	916.00	919.70	919.65	920.50	0.021213	7.95	80.81	62.41	0.76
45	2856.03	EX100	post detention pond	364.19	916.00	919.70	919.65	920.50	0.021213	7.95	80.81	62.41	0.76
45	2732.373 119	EX100	pre	364.19	914.00	922.90	917.81	922.91	0.000182	1.41	664.55	162.71	0.09
45	2732.373 119	EX100	post direct release	364.19	914.00	919.07	917.81	919.28	0.004512	4.59	169.18	87.79	0.39



HEC-RAS River: 45 Reach: 45 Profile: EX100 (Continued)

Reach	River Sta	Profile	Plan	O Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
45	2732.373 119	EX100	post detention pond	364.19	914.00	919.07	917.81	919.28	0.004512	4.59	169.18	87.79	0.39
45	2670.55	EX100	pre	364.19	914.00	922.89	917.60	922.90	0.000152	1.29	716.05	170.84	0.08
45	2670.55	EX100	post direct release	364.19	914.00	918.80	917.60	919.00	0.004441	4.43	173.49	92.14	0.38
45	2670.55	EX100	post detention pond	364.19	914.00	918.80	917.60	919.00	0.004441	4.43	173.49	92.14	0.38
45	2593.345 2879	EX100	pre	364.19	914.00	922.86	917.37	922.89	0.000234	1.63	395.89	185.91	0.10
45	2593.345 2879	EX100	post direct release	364.19	914.00	917.56	917.36	918.32	0.018792	7.42	72.21	51.11	0.75
45	2593.345 2879	EX100	post detention pond	364.19	914.00	917.56	917.36	918.32	0.018792	7.42	72.21	51.11	0.75
45	2548	EX100	post direct release	364.19	913.00	916.19	916.19	917.14	0.038280	7.80	46.68	25.15	1.01
45	2548	EX100	post detention pond	364.19	913.00	916.19	916.19	917.14	0.038280	7.80	46.68	25.15	1.01
45	2545		Culvert										
45	2493.533 2880	EX100	pre	364.19	912.00	915.73	914.30	916.04	0.005802	4.51	86.99	32.31	0.43
45	2493.533 2880	EX100	post direct release	364.19	912.00	915.76	914.30	916.06	0.005645	4.48	87.86	32.45	0.43
45	2493.533 2880	EX100	post detention pond	364.19	912.00	915.83	914.30	916.12	0.005232	4.37	90.34	32.84	0.41
45	2415.92	EX100	pre	373.94	910.00	914.75	913.54	915.41	0.010310	6.74	75.21	41.71	0.56
45	2415.92	EX100	post direct release	378.18	910.00	914.78	913.56	915.44	0.010310	6.77	76.27	42.42	0.56
45	2415.92	EX100	post detention pond	390.45	910.00	914.85	913.83	915.52	0.010337	6.85	79.23	44.34	0.57
45	2307.826 637	EX100	pre	373.94	908.00	911.96	911.96	913.25	0.049141	9.13	40.97	16.04	1.01
45	2307.826 637	EX100	post direct release	378.18	908.00	911.98	911.98	913.28	0.049096	9.16	41.30	16.07	1.01
45	2307.826 637	EX100	post detention pond	390.45	908.00	912.04	912.04	913.36	0.048532	9.23	42.31	17.14	1.00
45	2263.82	EX100	pre	373.94	906.00	911.90	908.29	912.02	0.001161	2.73	144.92	30.50	0.20
45	2263.82	EX100	post direct release	378.18	906.00	911.95	908.31	912.07	0.001153	2.73	146.38	30.61	0.20
45	2263.82	EX100	post detention pond	390.45	906.00	912.09	908.35	912.21	0.001134	2.76	150.82	34.04	0.20
45	2178.58	EX100	pre	373.94	906.35	911.69	909.29	911.87	0.002555	3.37	110.85	58.33	0.29
45	2178.58	EX100	post direct release	378.18	906.35	911.74	909.31	911.92	0.002511	3.37	112.18	59.18	0.29
45	2178.58	EX100	post detention pond	390.45	906.35	911.89	909.36	912.07	0.002388	3.36	116.09	61.67	0.28
45	2094.77		Culvert										
45	1985.93	EX100	pre	373.94	904.60	910.48	908.61	910.65	0.002936	3.65	163.50	89.05	0.32
45	1985.93	EX100	post direct release	378.18	904.60	910.50	908.63	910.67	0.002946	3.67	164.83	89.60	0.32
45	1985.93	EX100	post detention pond	390.45	904.60	910.55	908.69	910.72	0.002973	3.71	168.67	91.20	0.32
45	1933.373 272	EX100	pre	373.94	906.00	909.78	909.43	910.32	0.013343	6.57	101.01	75.97	0.64
45	1933.373 272	EX100	post direct release	378.18	906.00	909.80	909.44	910.34	0.013327	6.59	102.30	76.56	0.64
45	1933.373 272	EX100	post detention pond	390.45	906.00	909.85	909.49	910.40	0.013160	6.62	106.58	78.49	0.64
45	1633.373 273	EX100	pre	373.94	902.00	905.11	904.84	905.68	0.018064	6.51	84.83	67.43	0.73

The red box above, which represents downstream stream cross sections, shows the areas of increased flow (390.45 cfs) and 100-elevations post detention versus not providing detention (direct release). Not providing detention results in a flow of 378.18 cfs, a reduction of 12.27 cfs.

HEC-RAS River: 45 Reach: 45 Profile: EX100 (Continued)

Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
45	1633.373 273	EX100	post direct release	378.18	902.00	905.12	904.86	905.70	0.018121	6.54	85.68	67.87	0.73
45	1633.373 273	EX100	post detention pond	390.45	902.00	905.15	904.90	905.74	0.018458	6.65	87.61	68.85	0.74
45	1333.373 274	EX100	pre	373.94	900.00	901.28	900.88	901.41	0.010961	2.89	137.26	169.09	0.50
45	1333.373 274	EX100	post direct release	378.18	900.00	901.28	900.89	901.41	0.010989	2.90	138.29	170.08	0.50
45	1333.373 274	EX100	post detention pond	390.45	900.00	901.30	900.90	901.44	0.010915	2.93	141.93	171.50	0.50
45	1033.373 275	EX100	pre	373.94	896.00	898.86	898.18	899.01	0.006110	3.38	175.03	181.81	0.42
45	1033.373 275	EX100	post direct release	378.18	896.00	898.87	898.19	899.02	0.006109	3.39	177.04	182.87	0.42
45	1033.373 275	EX100	post detention pond	390.45	896.00	898.90	898.22	899.05	0.006120	3.43	182.58	185.76	0.42
45	733.3737 276	EX100	pre	373.94	894.22	895.87	895.59	896.10	0.017685	3.90	102.99	118.22	0.65
45	733.3737 276	EX100	post direct release	378.18	894.22	895.88	895.60	896.11	0.017735	3.92	103.75	118.68	0.65
45	733.3737 276	EX100	post detention pond	390.45	894.22	895.90	895.62	896.14	0.017778	3.97	106.18	120.12	0.65
45	433.3738 277	EX100	pre	373.94	892.00	893.49	892.79	893.57	0.004823	2.45	214.03	204.04	0.35
45	433.3738 277	EX100	post direct release	378.18	892.00	893.50	892.80	893.58	0.004808	2.45	216.24	205.38	0.35
45	433.3738 277	EX100	post detention pond	390.45	892.00	893.53	892.81	893.61	0.004760	2.47	222.72	209.23	0.35
45	1.373810 117	EX100	pre	373.94	888.00	890.54	889.77	890.82	0.006614	4.40	104.71	73.11	0.51
45	1.373810 117	EX100	post direct release	378.18	888.00	890.56	889.78	890.84	0.006614	4.42	105.78	74.05	0.51
45	1.373810 117	EX100	post detention pond	390.45	888.00	890.60	889.81	890.89	0.006613	4.47	108.91	76.76	0.51





# Variance Request

## Applicant's Written Analysis

### Applicant Information

Name	*Traton, LLC	Phone	(770) 427-9064; *(770) 429-1499
Mailing Address	720 Kennesaw Avenue, Marietta, GA 30060	Email	chrisposton@tratonhomes.com; jkm@mijs.com

### 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. See Attached.
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. See Attached.
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 See Attached.
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. See Attached.
e.	The special circumstances are not the result of the actions of the applicant. See Attached.
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. See Attached.
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. See Attached.

### Applicant Signature

MOORE INGRAM JOHNSON & STEELE, LLP			
BY:		J. Kevin Moore	June 2, 2023
Signature of Applicant	GA Bar No. 519728	Printed Name	Date
- Attorneys for Applicant and Property Owner			

\*See Exhibit "A" for Applicant's and Property Owner's Representative Information Form Version: 06152020



# Variance Request

## Written Analysis

- 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?**

The Subject Property is located adjacent to a stream which feeds directly into a larger flood plain area in close proximity to the Subject Property. As a result of this topography and close proximity, installing on-site detention and stormwater management would increase downstream impacts beyond tolerable levels.

- 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 and strict interpretation of the Development Code would result in creating adverse impacts downstream within 100 year flood plain areas. Approval of the requested variances, however, has no adverse impact due to the close proximity of the 100 year flood plain area and the adjacent stream.

- 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.**

The granting of the requested variances does not confer any special privileges; rather, approval allows for better stormwater management and avoids the adverse impacts intended by strict application of the Ordinance.

- 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.**

The purpose and intent of the subject Code provisions is to prevent downstream, adverse impacts due to stormwater flow. However, installation of required detention would frustrate and conflict with the Development Code by creating the very adverse impacts the Code provisions seek to prevent. As such, the requested variances are in harmony with the spirit, purpose, and intent of the Development Code by preventing downstream, adverse impacts.

- e. **The special circumstances are not the result of the actions of the applicant.**

The special circumstances for development of this Property are not the result of actions of the Applicant; rather, the special circumstances are the result of the adjacent stream in close proximity to a large 100-year flood plain area.

- 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 requested variances are the minimum possible proposed use as any development which requires detention will create downstream adverse impacts as opposed to the approval of requested variances which will eliminate adverse impacts.

- 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 approval will simply allow the development of the Subject Property to commence in accordance with the approved rezoning by Mayor and City Council of September 19, 2022.





# 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 **\*J. Kevin Moore; Moore Ingram Johnson & Steele, LLP**

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:

Oglesby Road Group, LLC

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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
None		

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		

**\*See Exhibit "A" for Applicant's and Property Owner's Representative Information**



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 4414 & 4596 Lewis Road Powder Springs, GA Property PIN 19102400010; 19104900010

This is to certify that I am  or We are  or I am  the Authorized Representative of a ~~corporation~~ limited liability company 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 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"/>

**Variance X**

### Signature of Property Owner(s)

~~OGLESBY ROAD GROUP, LLC~~

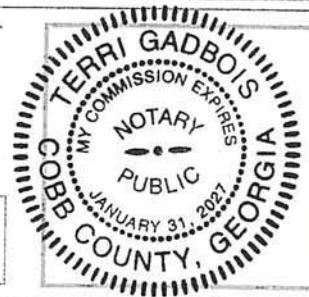
BY: *Lindsey A. Tippins* Lindsey A. Tippins June / , 2023  
Signature of Owner Manager Printed Name Date

State of GA, County of Cobb.

This instrument was acknowledged before me this 1st day of June month.

20 23, by Lindsey A. Tippins. Identification Presented: KNOWN

*Terri Gadbois* Terri Gadbois 1/31/27  
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 \_\_\_\_\_ Identification Presented: \_\_\_\_\_

Signature of Notary Public Name of Notary Public My Commission Expires





**EXHIBIT "A" – ATTACHMENT TO APPLICATION FOR VARIANCE**

Application No.: \_\_\_\_\_  
Mayor and City Council Hearing: June 20, 2023

Applicant: Traton, LLC  
Titleholder: Oglesby Road Group, LLC

**Applicant's and Property Owner's Representative:**

J. Kevin Moore, Esq.  
Moore Ingram Johnson & Steele, LLP  
Attorneys at Law  
Emerson Overlook, Suite 100  
326 Roswell Street  
Marietta, Georgia 30060  
(770) 429-1499 (Office)  
(770) 429-8631 (Telefax)  
E-mail: [jkm@mijs.com](mailto:jkm@mijs.com)

**LEGAL DESCRIPTION**  
**West Tract**  
**Parcel: 19102400010**

A tract or parcel of land situated in Land Lot 1024, 19th District, City of Powder Springs, Cobb County, Georgia, the bearings of which are based on State Plane Grid System (Georgia West Zone) and being more particularly described as follows:

**BEGINNING** at a #4 Rebar found at the intersection of the Northeasterly right-of-way of C.H. James Parkway (Variable R/W) and the common line of Land Lots 1024 and 1025 of said District and Section and having State Plane Coordinates of N- 1,399,108.88 and E-2,137,741.84; thence along said common line of Land Lots 1024 and 1025 N 00°24'43" E for a distance of 83.59 feet to a point at the centerline of a creek; thence leaving said common Land Lot Line and along the centerline of said creek the following 50 courses and distances: {S 75°38'06" E for a distance of 13.71 feet to a point; N 57°53'41" E for a distance of 23.05 feet to a point; N 81°49'20" E for a distance of 17.31 feet to a point; S 51°50'37" E for a distance of 15.84 feet to a point; S 85°35'27" E for a distance of 23.13 feet to a point; S 60°36'06" E for a distance of 2.88 feet to a point; N 66°07'19" E for a distance of 16.40 feet to a point; S 78°43'43" E for a distance of 25.39 feet to a point; N 46°14'02" E for a distance of 2.45 feet to a point; N 11°41'04" E for a distance of 29.68 feet to a point; N 79°36'44" E for a distance of 13.79 feet to a point; S 33°18'24" E for a distance of 13.67 feet to a point; S 77°35'31" E for a distance of 31.05 feet to a point; N 70°57'08" E for a distance of 5.47 feet to a point; N 12°59'47" E for a distance of 13.29 feet to a point; N 63°42'03" E for a distance of 17.67 feet to a point; S 68°45'32" E for a distance of 24.74 feet to a point; S 14°19'50" W for a distance of 37.21 feet to a point; S 58°52'11" E for a distance of 24.31 feet to a point; S 20°05'29" E for a distance of 13.27 feet to a point; S 34°22'38" W for a distance of 25.73 feet to a point; S 13°30'54" W for a distance of 21.80 feet to a point; S 27°02'01" E for a distance of 30.64 feet to a point; N 75°02'47" E for a distance of 12.49 feet to a point; S 71°03'12" E for a distance of 10.18 feet to a point; S 60°34'00" E for a distance of 11.50 feet to a point; S 24°51'16" E for a distance of 18.31 feet to a point; S 51°17'40" E for a distance of 38.50 feet to a point; S 36°27'42" E for a distance of 36.97 feet to a point; S 66°41'44" E for a distance of 14.11 feet to a point; N 48°35'42" E for a distance of 23.02 feet to a point; S 56°55'09" E for a distance of 33.06 feet to a point; S 07°25'05" E for a distance of 34.69 feet to a point; N 89°56'32" E for a distance of 15.36 feet to a point; N 49°20'19" E for a distance of 20.41 feet to a point; S 63°05'15" E for a distance of 31.04 feet to a point; S 12°00'30" E for a distance of 37.67 feet to a point; S 36°43'51" E for a distance of 23.18 feet to a point; S 71°44'19" E for a distance of 58.52 feet to a point; N 62°11'39" E for a distance of 18.05 feet to a point; N 42°11'09" W for a distance of 12.01 feet to a point; N 60°55'50" W for a distance of 24.88 feet to a point; N 26°01'40" W for a distance of 6.17 feet to a point; N 22°34'54" E for a distance of 7.53 feet to a point; N 74°15'31" E for a distance of 16.87 feet to a point; N 71°59'48" E for a distance of 12.99 feet to a