



city of
powder springs

Variance Request

Application Checklist

Applicant Information

Name **Cellar Bold and Distillery**

Phone

Mailing Address **4870 Wyatt Dr. Powder Springs, GA 30127**

Email

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:

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.

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.
1999 01 47 44 2

MCC
WARRANTY DEED (FORM 36A)
Return to:
MCCALLA, RAYMER, PADRICK, COBB, NICHOLS & CLARK
168 N. Johnston Street, Suite 106
Dallas, GA 30132

WARRANTY DEED

STATE OF GEORGIA
Paulding COUNTY

1200

THIS INDENTURE, made the 17th day of August, in the year one thousand nine hundred Ninety-Nine, between **R. M. GLOVER**

of the County of Cobb, and State of Georgia, as part y or parties of the first part, hereinafter called Grantor, and

ROYRE INVESTMENTS, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

See Exhibit "A" attached hereto and made a part hereof.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said described property.

TO HAVE AND TO HOLD the said described property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the said described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

R. M. Glover (Seal)
R. M. GLOVER

Witness

Sherril L. Brown

_____ (Seal)

Notary Public

_____ (Seal)

_____ (Seal)

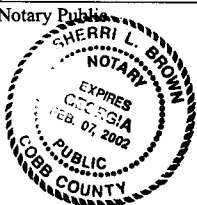


Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 675, 19th District, 2nd Section of Cobb County, Georgia being 6 acres according to plat of survey prepared by George Willis Crusselle, Georgia Registered Land Surveyor #1373, dated June 15, 1979 for Marion Glover and being bounded and described as follows:

BEGINNING at a point on the westerly right of way of Florence Road (70 foot right of way) which point is 300 feet southerly as measured along said right of way from the intersection of said right of way with the land lot line separating Land Lots 658 and 675 bearing south 04 degrees 19 minutes 57 seconds east 283.43 feet and continuing south 05 degrees 16 minutes 08 seconds east 16.57 feet to an iron pin and the point of beginning; thence southerly along said right of way 313.38 feet bearing south 05 degrees 16 minutes 08 seconds east 270.7 feet and continuing south 35 degrees 03 minutes 18 seconds east 42.68 feet to an iron pin and corner; thence south 87 degrees 34 minutes 30 seconds west 840.55 feet to an iron pin on the westerly land lot line of Land Lot 675; thence north 03 degrees 11 minutes 30 seconds west along said westerly land lot line of Land Lot 675 313.03 feet to an iron pin and corner; thence north 87 degrees 34 minutes 30 seconds east 829.35 feet to an iron pin and corner.

RMA

Deed Book 12860 Pg 286

Jay C. Stephenson

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32



city of powder springs

Variance Request

Application Form

Applicant Information

Name Cellar Bold and Distillery	Phone [REDACTED]
Mailing Address 4870 Wyatt Dr. Powder Springs, GA 30127	Email [REDACTED]

Variance Request Property Information

Address 3180 Florence Road Suite 105	Parcel ID / Lot# 19067500020
Acreage 6	Present Zoning

Variance Request **Waiver for distance requirements.**


Source of Water Supply Public	Source of Sewage Disposal Public
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Additional Information, If Applicable

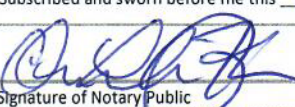
Elementary School and School's Capacity	Middle School and School's Capacity
High School and School's Capacity	Peak Hours Trips Generated


Notary Attestation

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

	<u>MORANIFAY ANTONIA</u>	<u>11/14/23</u>
Signature of Applicant	Printed Name	Date

Subscribed and sworn before me this 14th day of Nov. month, 2024.

	<u>Omolola Kayode</u>	<u>02/21/24</u>
Signature of Notary Public	Name of Notary Public	My Commission Expires



For Official Use Only

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



city of
powder springs
Variance Request
Notice of Intent

Applicant Information

Name **Cellar Bold and Distillery**

Phone [REDACTED]

Mailing Address **4870 Wyatt Dr. Powder Springs, GA 30127**

Email [REDACTED]

Notice of Intent

PART I. Please indicate the purpose of this application :

To obtain a waiver for the minimum distance requirement of 600 feet to a residence for an alcohol manufacturer

PART II. Please list all requested variances:

Waive minimum distance requirement to a residence for an alcohol manufacturer.

Part III. Existing use of subject property:

N/A


Part IV. Proposed use of subject property:

Alcohol manufacturing

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

The distance requirement for a manufacturer is 600 feet. There is only one property not obscured by thick vegetation and/or the subdivision's fence and said property is over 500 feet across a parking lot and two-lane road.

Applicant Signature

 MOROUNFOLU AWOTONA 11/14/23
Signature of Applicant Printed Name Date



city of powder springs

Variance Request

Applicant's Written Analysis

Applicant Information

Name **Cellar Bold and Distillery**

Phone [REDACTED]

Mailing Address **4870 Wyatt Dr. Powder Springs, GA 30127**

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. There are units on the back row and beyond of the complex that would not exceed the distance requirements.

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

Yes, that is correct.

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, because alcohol manufacturers generate less public traffic than pouring licenses.

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

Yes, that is correct.


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.

Applicant is unable to use the unit without this variance.

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 will not change the use in accordance with the zoning district

Applicant Signature

 MOROUN FOUCH AWOJONA 11/14/23
Signature of Applicant Printed Name Date



Variance Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name	Cellar Bold and Distillery	Applicant's Address	3180 Florence rd suite 105.
Applicant's Attorney	N/A	Attorney's Address	N/A

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:

ROYRE INVESTMENTS LLC _____
ROY L. SPARKS MEMBER _____
REND SMITH MEMBER _____

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

Variance Request

Owner's Authorization Form

Owner's Authorization

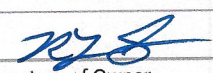
Applicant Name Cellar Bold and Distillery	Applicant's Address 4870 Wyatt Drive. Powder Springs, GA 30127
Property Address 3180 Florence Road Suite 105 Powder Springs, GA	Property PIN 19067500020

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:

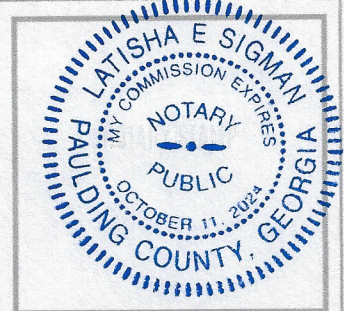
Rezoning <input type="checkbox"/>	Special Use <input type="checkbox"/>	Hardship Variance <input checked="" type="checkbox"/>
Special Exception <input type="checkbox"/>	Flood Protection Variance <input type="checkbox"/>	Appeal of Administrative Decision <input type="checkbox"/>

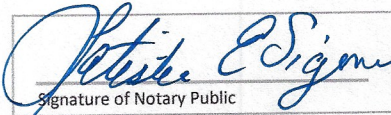
Signature of Property Owner(s)

	ROYRE INVESTMENTS LLC Roy L. SPARKS MEMBER	11-13-23
Signature of Owner	Printed Name	Date

State of GA, County of Paulding
This instrument was acknowledged before me this 13 day of November month.

2023, by _____ name of signer. Identification Presented: DL

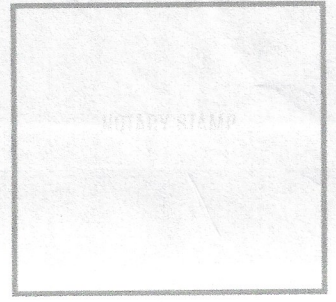


	Latisha E. Sigman	10-11-24
Signature of Notary Public	Name of Notary Public	My Commission Expires

_____ Signature of Owner	_____ Printed Name	_____ Date
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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
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3192

3190

19067500170

3020

3030

19067500320

3033

HOPELAND DR

3040

19067500330

3043

3180

19067500020

FLORENCE RD

200.3

200.1

3050

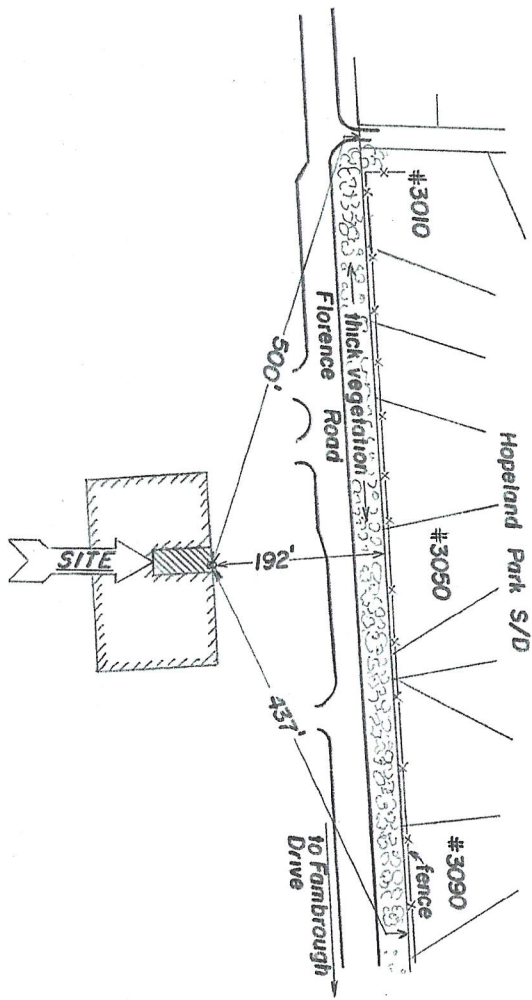
19067500340

3053

3060



MAGNETIC NORTH



Site Address-
 3180 Florence Road
 Suite 105
 Powder Springs, Georgia
 30127

A handwritten signature in blue ink is written over a circular official seal. The seal contains the text 'GEORGIA LAND SURVEYOR' and 'JOSH L. LEWIS, III'.

The following distances were measured from the front door of the site by the most direct route of travel on the ground to the property line, except as noted:

- CHURCH- 665' to Hearts on Fire Ministries, @ 4010 Fambrough Drive.
- SCHOOL- 2141' to Bridgestone Academy, @ 3375 Florence Road. (Ga pre-K)
- RESIDENCE- 437' to 3090 Hopeland Drive.
 192' to 3050 Hopeland Drive. (measured in a straight line from nearest point on site)

The church @ school are well in excess of 100' by straight line measurement.

City of Powder Springs Alcoholic Beverage Manufacturing License Survey for:
 Cellar Bold and Distillery

DATE: 11/3/2023	SCALE: 1" = 200'	0	100	200	400
DRAWN BY: GD	GRAPHIC SCALE IN FEET				
LAND LOT 675	19th DISTRICT	2nd SECTION			
COBB COUNTY	GEORGIA				
GEORGIA LAND SURVEYING CO. 155 CLIFTWOOD DRIVE, ATLANTA, GA 30328 PHONE () FAX () WWW.GEORGIALANDSURVEYING.COM					204716