

Paid \$250 - 1139 card
Paid \$35 - 1139 card
Paid on 1/9/20

VARIANCE APPLICATION PACKET

Instructions for Applicant:

Complete this form and the appropriate attachments in order to apply for a Variance on a property. Refer to Article 14 of the Unified Development Code for more detail.

Fill in the top boxes and have your signature notarized. Deliver the original of the application and all attachments to the Community Development Department at 4488 Pineview Drive, Powder Springs 30127. You can reach the Planning & Zoning Department at 770-943-8001 during normal working hours to discuss your application or if you have any questions.

NOTE: 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.

- Fill in your name, address, telephone number, the property's location and Land Lot in which the property is located.
- If you do not personally own a majority interest in the property, have the owner(s) prepare an Owner's Authorization giving you permission to file the application, and attach it to the application (see the Owner's Authorization Form that is in this application package).
- Indicate the current zoning district of the property, and the zoning district you are requesting.

NOTE: 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.

The following information will be required (checklist attached):

1. Application (attached)
2. Notice of Intent - A detailed written description of the proposed development (attached)
3. Applicant's Written Analysis (attached)
4. Campaign Contribution Disclosure (attached)
5. If applicable, owners authorization (attached)
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
11. If applicable, Sketch Plan/ Architectural Rendering
12. Traffic Study required for development with 500,000 square feet of nonresidential floor area or 350 dwelling units or more.

COMMUNITY DEVELOPMENT

4488 Pineview Drive
Powder Springs, GA 30127
Phone: 770-943-1666 email: commdev@cityofpowdersprings.org

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: 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 –Surrounding Property Owners: 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 for rezoning, special use or variance 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.

APPLICATION FOR VARIANCE REQUEST

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL MEETINGS)

For Office Use Only: PZ #: _____

Planning Commission Hearing: _____ City Council Hearing: _____

Withdrawn Date: _____ Reason for withdrawal: _____

Owners' Name: Jarald Freeman Jr.

Email Address: jaraldf@gmail.com

Mailing Address: 5678 Walnut Mill Ln Zip Code: 30127 Telephone #: 404-838-8615

COMPLETE ONLY IF APPLICANT IS NOT OWNER

Applicant: _____ Email Address: _____

Mailing Address: _____ Zip Code: _____

Telephone Number: _____

Address of property requesting a Variance: 5678 Walnut Mill Lane Powder Springs GA 30127

Lot #/Parcel ID: lot # 90 Acreage: .26

Present Zoning Classification: _____ Variance Request: _____

Source of Water Supply: Cobb Water Source of Sanitary Sewage Disposal: Cobb County

If Applicable, Peak Hour Trips Generated: _____

If applicable, Available School Capacity:

Name of Elementary School and Available School Capacity
Cooper Middle School

Name of Middle School and Available School Capacity
Messinger High School

Name of High School and Available School Capacity
Powder Springs Elementary

SUBSCRIBED AND SWORN BEFORE
ME ON 01-06-2020

Tracy Reese
Signature of Notary

My Commission Expires: 10-31-22

TRACY REESE
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires October 31, 2022

Jarald Freeman Jr. 1/6/20
Signature of Applicant Date

NOTICE OF INTENT

Part 1.

Please indicate the purpose of the application:

I removed dead trees that were falling down and damaging property. I removed 8 additional trees that were infected.

Part 2. Please list all requested variances:

Tree Removal/Buffer Variance.

Part 3. Existing use of subject property:

Backyard Personal Use.

Part 4. Proposed use of subject property:

Backyard Personal Use with irrigation for new trees and seating area.

Part 5.

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

I had the dead and infected trees removed. I replaced the pine trees with almost 3 times of trees and shrubbery.

APPLICANT'S 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. None.

(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.

Unknown

(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.

CAMPAIGN CONTRIBUTION DISCLOSURE

Applicant: Terrell Fraum Jr.

Applicant's Address: 5678 Walnut Mill Lane

Applicant's Attorney: Tracey Reese

Attorney's Address: unhwa

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:

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

OWNER'S AUTHORIZATION

This is to certify that (I am We are I am the Corporate Secretary of a Corporation that is) the owner of a majority interest in the property that is the subject 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 each box that applies

- Rezoning
- Special Use
- Hardship Variance
- Special Exception
- Flood Protection Variance
- Appeal from Administrative Decision

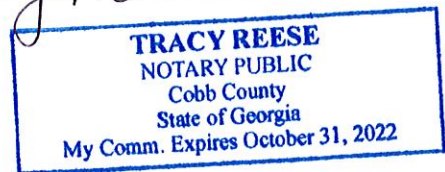
Applicant: Jerald Freeman Jr.

Applicant's Address: 5678 Walnut Mill Lane
Powder Springs GA 30127

Date this Authorization becomes null and void: _____, 20____. (Not applicable)

[Signature]
Signature of Owner

[Signature]
(Notarized)



Signature of Owner

(Notarized)

Signature of Owner

(Notarized)

Signature of Owner

(Notarized)

REQUIRED INFORMATION

Applicant must submit the following information by **4:00 p.m.** on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

Check the boxes for all of the items that you have attached:

1. Application (attached)
2. Notice of Intent - A detailed written description of the proposed development (attached)
3. Applicant's Written Analysis (attached)
4. Campaign Contribution Disclosure (attached)
5. If applicable, owners authorization (attached)
6. Legal Description and Survey Plat of the property
7. Application Fee
8. Copy of the Deed that reflects the current owners name
9. Vicinity Map outlining the parcel/s to be rezoned 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
12. Traffic Study required for development with 500,000 square feet of non-residential floor area or 350 dwelling units or more.

N/A

Please list additional attachments:

- None
- _____
- _____
- _____
- _____
- _____

3:6-2020

MDJ-6016
GPN-13
NOTICE OF PUBLIC HEARING
City of Powder Springs
VARIANCE

Notice is hereby given that meetings shall be held at the City of Powder Springs City Council Chambers on Thursday, March 12, 2020 (agenda meeting) at 7:00 pm and Monday, March 30, 2020 (public hearing) at 7:30 pm before the Planning and Zoning Commission; Wednesday, April 1, 2020 (agenda meeting) at 5:00 pm and Monday, April 6, 2020 (public meeting) at 7:00 pm before the Mayor and City Council to consider a variance to comply with Section 12-13 (c) Removal of landscaping as approved on plot; to vary rear and side setback, Table 2-2, Dimensional Requirements for Residential Zoning Districts (R15-C) within Land Lots 820, 19th District, 2nd Section, and Cobb County, Georgia. Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing.

3:6-2020

MDJ-6017
GPN-13
Notice of Public Hearing
City of Powder Springs
SPECIAL USE

Notice is hereby given that meetings shall be held at the City of Powder Springs City Council Chambers on Thursday, March 12, 2020 (agenda meeting) at 7:00 pm and Monday, March 30, 2020 (Public Hearing) at 7:30 pm before the Planning and Zoning Commission; Wednesday, April 1, 2020 (agenda meeting) at 5:00 pm and Monday, April 6, 2020 (public hearing) at 7:00 pm before the Mayor and City Council to consider a Special Use application to allow truck rental/leasing in the Community Retail Commercial (CRC) zoning district within Land Lot 1873, 19th District, 2nd Section, Cobb County, Georgia. Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing.

3:6-2020

MDJ-6018
GPN-13
NOTICE OF PUBLIC HEARING
City of Powder Springs
CODE TEXT AMENDMENT

Notice is hereby given that meetings shall be held at the City of Powder Springs City Council Chambers on Thursday, March 12, 2020 (agenda meeting) at 7:00 pm and Monday, March 30, 2020 (public hearing) at 7:30 pm before the Planning and Zoning Commission; Wednesday, April 1, 2020 (agenda meeting) at 5:00 pm and Monday, April 6, 2020 (public hearing-1st reading) at 7:00 pm before the Mayor and City Council; Monday, April 20, 2020 (public hearing, 2nd reading) at 7:00 pm before the Mayor and City Council to consider varying Table 2-3 (Permitted and Special Uses in the Mixed-Use and Non-residential Zoning district) to allow truck rental/leasing within the Neighborhood Retail Commercial (NRC) zoning district in the 19th District, 2nd Section, and Cobb County, Georgia. Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing.

3:6-2020

MDJ-6019
GPN-13
NOTICE OF PUBLIC HEARING
City of Powder Springs
REZONING/ANNEXATION

Notice is hereby given that meetings shall be held at the City of Powder Springs City Council Chambers on Thursday, March 12, 2020 (agenda meeting) at 7:00 pm and Monday, March 30, 2020 (public hearing) at 7:30 pm before the Planning and Zoning Commission; Wednesday, April 1, 2020 (agenda meeting) at 5:00 pm and Monday, April 6, 2020 (public meeting, 1st reading) at 7:00 pm before the Mayor and City Council; Monday, April 20, 2020 (public meeting, 2nd reading) at 7:00 pm before the Mayor and City Council to consider an annexation and rezoning from Residential (R20, Cobb County) to Planned Unit Development Residential (PUD-R, City of Powder Springs) to allow a single-family residential development within Land Lots 680 and 727, 19th District, 2nd Section, and Cobb County, Georgia. Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing.

3:6-2020

MDJ-6020
GPN-13
NOTICE OF PUBLIC HEARING
City of Powder Springs
REZONING/ANNEXATION

Notice is hereby given that meetings shall be held at the City of Powder Springs City Council Chambers on Thursday, March 12, 2020 (agenda meeting) at 7:00 pm and Monday, March 30, 2020 (public hearing) at 7:30 pm before the Planning and Zoning Commission; Wednesday, April 1, 2020 (agenda meeting) at 5:00 pm and Monday, April 6, 2020 (public meeting, 1st reading) at 7:00 pm before the Mayor and City Council; Monday, April 20, 2020 (public meeting, 2nd reading) at 7:00 pm before the Mayor and City Council to consider an annexation and rezoning from Residential (R20, Cobb County) to Planned Unit Development Residential (PUD-R, City of Powder Springs) to allow a single-family residential development within Land Lots 680 and 727, 19th District, 2nd Section, and Cobb County, Georgia. Anyone who desires to speak at a public hearing is required to disclose campaign contributions to the Community Development Department 5 days prior to the hearing.

CHRISTOPHER SCOTT WILLIAMS has petitioned to be appointed Administrator of the estate of **TE ANNE BOWERS**, deceased, of Cobb County. (The Petitioner has applied for waiver of bond and/or of certain powers contained in O.C.G.A. § 53-12-21.) All interested parties are hereby notified to show cause why said Petition should not be granted. All objections to the Petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before **MARCH 9, 2020**. **BE NOTIFIED FURTHER:** All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.

Tara C. Riddle
Associate Judge of the Probate Court
By: Jennifer P. Ritchey
Clerk of the Probate Court
32 Waddell Street
Marietta, GA 30090
770-528-1900
2:14,21,28;3:6-2020

MDJ-5509
GPN-18
IN THE PROBATE COURT
OF COBB COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
MARGARETTE ELIZABETH
MERCHER ALTENBURG BATEM
DECEASED
ESTATE NO. 19-0533
NOTICE

IN RE: The Petition to Probate Will Solemn Form in the above referenced estate having been duly filed **TO: KEVIN FRANCES ALTENBURG**. This is to notify you to file objections, there is any, to the Petition to Probate Will in Solemn Form, in this Court, on or before **MARCH 9, 2020**.

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.

Tara C. Riddle
Associate Judge of the Probate Court
By: Jennifer P. Ritchey
Clerk of the Probate Court
32 Waddell Street
Marietta, GA 30090
770-528-1900
2:14,21,28;3:6-2020

MDJ-5510
GPN-18
IN THE PROBATE COURT
OF COBB COUNTY
STATE OF GEORGIA
IN RE: ESTATE OF
SIU HAN CHUNG,
DECEASED
ESTATE NO. 20-0236
PETITION FOR LETTERS
OF ADMINISTRATION
NOTICE

To whom it may concern:

WING SAN CHUNG has petitioned to be appointed Administrator of the estate of **SIU HAN CHUNG**, deceased, of said County. The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. § 53-12-21. All interested parties are hereby notified to show cause why said Petition should not be granted. All objections to the Petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before **MARCH 9, 2020**.

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.

Kelli L. Wolk
Judge of the Probate Court
By: Jennifer P. Ritchey
Clerk of the Probate Court
32 Waddell Street
Marietta, GA 30090
(770)528-1900
2:14,21,28;3:6-2020

Please see my posted yard signage:

