



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

Zoning Administrator
Shaun Myers
Planning and Zoning Manager
smyers@cityofpowdersprings.org
770-943-1666



Special Use Request Application Checklist

Applicant Information

Name **Casey Walker**

Phone **(727) 446-3444**

Mailing Address **5795 Ulmerton Rd Clearwater, FL 33760**

Email **casey@cscproperties.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:

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 Casey Walker	Phone (727) 446-3444
Mailing Address 5795 Ulmerton Rd Clearwater, FL 33760	Email casey@cscproperties.com

Special Use Request Property Information

Address 4560 Brownsville Rd	Parcel ID / Lot# 19104600270	Acreage 1.84 Acres
Present Zoning CRC	Special Use Request	
Source of Water Supply	Source of Sewage Disposal	
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 _____ (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

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 Casey Walker	Phone (727) 446-3444
Mailing Address 5795 Ulmerton Rd Clearwater, FL 33760	Email casey@cscproperties.com

Notice of Intent

PART I. Please indicate the purpose of this application :

The purpose of this application is to approve the development of a 4500 SF convenience store/gas station on the parcel aforementioned. The current zoning, CRC, allows this use on the condition that a SUP is approved.

PART II. Please list all requested variances:

Part III. Existing use of subject property:

The property is currently undeveloped land.

Part IV. Proposed use of subject property:

The use will be a convenience store/gas station that will include a 4500 SF store/operation space and 5 MPDs with two fuel pumps each.

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

Applicant Signature

	Casey Walker	11/12/2021
Signature of Applicant	Printed Name	Date



Special Use Request

Applicant's Written Analysis

Applicant Information

Name Casey Walker

Phone (727) 446-3444

Mailing Address 5795 Ulmerton Rd Clearwater, FL 33760

Email casey@cscproperties.com

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 zoning district in question is Community Retail Commercial. As our development would be a commercial retail business providing a necessary service and products to patrons, we believe our use fits the desired use.
- 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 properties surrounding the intersection where the property is located are all CRC-zoned. This includes a second gas station. The residential properties nearby will be separated from our use by appropriate screening.
- c. Whether the location and character of the proposed special use are consistent with a desirable pattern of development in general.
With the growing number of residences being constructed in the area, our use will provide additional convenience and options to local homeowners at an intersection which has seen a great deal of other commercial development.
- d. Whether the type of street providing access to the use is or will be adequate to serve the proposed special use.
Our development will be accessed via a service/spine road that was built specifically to cater to future commercial development on this property. This road includes the necessary infrastructure and intersection access as well.
- 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.
The traffic flow generated by our use will be more than adequately handled by the existing service road and nearby ROW along Hiram Lithia Springs Rd SW.
- 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.
- 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.
The entire site will be designed to minimize light and noise pollution off-site. All other necessary steps will be taken to be courteous to adjacent properties as is required by code, as well as is standard practice in our industry.
- h. Whether the hours and manner of operation of the special use will have adverse effects on other properties in the area.
The hours of operation will be in line with what other businesses in the area already operate at, and will cause no additional strain on any properties in the area.
- 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 site and building design will be in collaboration with all Powder Springs civil and architectural requirements, as well as incorporate feedback from the municipality in regards to what sort of design it would like implemented.



Special Use Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name **Casey Walker**

Applicant's Address **5795 Ulmerton Rd Clearwater, FL 33760**

Applicant's Attorney **Derek Houston**

Attorney's Address **5795 Ulmerton Rd Clearwater, FL 33760**

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:

James Walker
Rogers Haydon
Leslie Rubin

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 _____

Applicant's Address _____

Property Address _____

Powder Springs, GA. Property P/N _____

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 named 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:

Residence

Special Exception

Special Use

Flood Protection Varyance

Hardship Variance

Appeal of Administrative Decision

Signature of Property Owner(s)

Sally S. Lambert, manager
 Signature of Owner

Sally S. Lambert, manager
 Printed Name

10/15/2021
 Date

State of *AL*, County of *Dade*

This instrument was acknowledged before me this *15th* day of *October*

20 *21* by *Sally S. Lambert*. Identification Presented: *driver's license*

Wendy McKeon
 Signature of Notary Public

Wendy McKeon
 Name of Notary Public

06-19-07
 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 _____



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 _____

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, =/> 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