



CITY OF MABLETON, GEORGIA
5656 Mableton Parkway , Mableton , GA
September 11, 2025 at 6:00 PM

Board of Zoning Appeals Member — Conrad A. Woods
Board of Zoning Appeals Member — Gerri Aldridge
Board of Zoning Appeals Member — Helen Butler Simmons
Board of Zoings Appeals Member — Christopher S. Semler
Board of Zoning Appeals Member — Wendy Brown Sanders
Board of Zoning Appeals Member — Chijoke Ebbis

BOARD OF ZONING APPEALS REGULAR MEETING AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
- 4. UNFINISHED BUSINESS**
- 5. NEW BUSINESS**
 - a. Case # V-2025-004: A request by Rayhold & Albert to reduce the front yard and side yard setback to zero for existing as-built buildings located at 380 Veterans Memorial Hwy (Tax Parcel 18004600210)**
- 6. ADJOURNMENT**

Persons with special needs relating to handicapped accessibility, disability, or foreign language may contact the City Clerk at (404) 927-9502 or susan.hiott@mableton.gov at least three days prior to the meeting. The clerk can be located at the City of Mableton Offices, Riverside EpiCenter, 135 Riverside Pkwy, Austell, Georgia 30168 during regular office hours.

Reviewed
7/8/25

Application for Variance Mableton, Georgia

(type or print clearly)

Application No. VAR-25-004
Hearing Date: 9/11/25

Applicant Raynold & Albert
Holding LLC
Haijie Lin
(representative's name, printed)

Phone # 770-881-1608 E-mail 99embroidery@gmail.com
Address 5316 Buford Hwy NE, Ste. B3, Doraville,
(street, city, state and zip code) GA 30340

Haijie
(representative's signature)

Phone # 770-881-1608 E-mail 99embroidery@gmail.com

Signed, sealed and delivered in presence of:
Stacey Evette Thomas
STACEY EVETTE THOMAS
Notary Public - State of Georgia
Clayton County
My Commission Expires Feb 27, 2026

My commission expires: 2-27-26

Titleholder Raynold & Albert
Holding LLC
Signature Haijie
(attach additional signatures, if needed)

Phone # 770-881-1608 E-mail 99embroidery@gmail.com

Address: 5316 Buford Hwy NE, Ste. B3, Doraville,
(street, city, state and zip code) GA 30340

Signed, sealed and delivered in presence of:

Stacey Evette Thomas
STACEY EVETTE THOMAS
Notary Public - State of Georgia
Clayton County
My Commission Expires Feb 27, 2026

My commission expires: 2-27-26

Present Zoning of Property CRC (Conditional)

Location 380 Veterans Memorial Hwy, Mableton, GA 30126
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 46 District 18 Size of Tract 9.85 Acre(s)

Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property _____ Shape of Property _____ Topography of Property _____ Other

Does the property or this request need a second electrical meter? YES _____ NO

How many stories is the proposed building? 1 How many square feet? 30900


The City of Mableton Zoning Ordinance Section (insert) states that the City of Mableton Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance.

The current zoning ordinance requires a minimum setback of 50 feet in the front and 10 feet on the side. The existing structure, which has existed on the property for approximately 25 years, impedes on the setbacks. To avoid unnecessary waste of demolition, a waiver of the setbacks is requested.

List type of variance requested: Waiver of the minimum setback on both the front and eastern (left) side of the parcel to accommodate the pre-existing as-built structures thereon. Applicant requests the setbacks be waived entirely for a 0 foot setback.

Deed Book 15972 Pg 4505
Filed and Recorded Sep-28-2021 12:00pm
2021-0138732
Real Estate Transfer Tax \$800.00
0332021028923

Parcel ID: 18004600360 and 18007100010
Return to:
Xie Law Offices, LLC
1770 Indian Trail Lilburn Road
Suite 450
Norcross, GA 30093
File No.: 2021-0380


Connie Taylor
Clerk of Superior Court Cobb Cty. Ga.

LIMITED WARRANTY DEED -- STATE OF GEORGIA, COUNTY OF GWINNETT

THIS INDENTURE made this 24th day of September, 2021, between **De Bao Property, LLC** as Grantor, and **Raynold&Albert Holding LLC**, the Grantee.

In this deed, wherever the context so requires, the masculine gender includes feminine and/or neuter and the singular number includes the plural. Wherever herein a verb, pronoun or other part of speech is used in the singular, and there be more than one Grantor or Grantee, said singular part of speech shall be deemed to read as the plural, and each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein. Wherever herein Grantor or Grantee is used, the same shall be considered to mean as well, the heirs, executors, administrators, successors, representatives and assigns of the same.

WITNESSETH: That the **GRANTOR**, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) **AND OTHER VALUABLE CONSIDERATIONS**, in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the said **GRANTEE**, the following described property.

See Exhibit "A" attached hereto and by this reference incorporated herein and made a part hereof.


This deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said **GRANTEE**, his heirs and assigns, forever in Fee Simple.

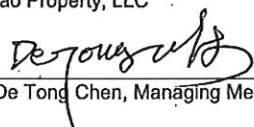
AND THE SAID GRANTOR, for himself, his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto the said **GRANTEE**, (his heirs and assigns) against the lawful claims of all persons owning, holding or claiming by, through or under the said **GRANTOR**.

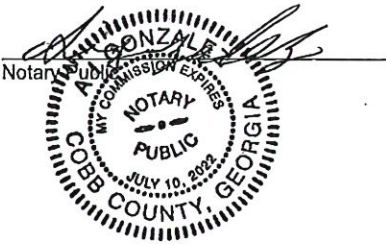
IN WITNESS WHEREOF, the said **GRANTOR** has hereunto set his hand and seal, this day and year first above written.

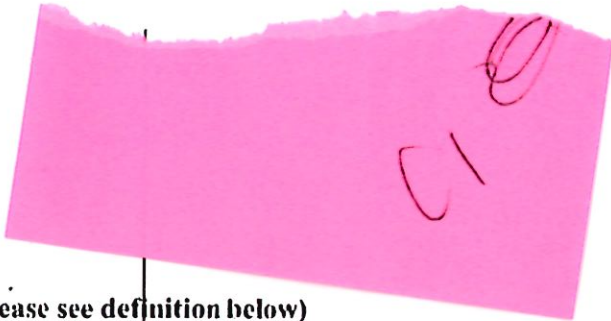
Signed, sealed and delivered in the presence of:


Unofficial Witness

De Bao Property, LLC

By:  (SEAL)
De Tong Chen, Managing Member





PROPERTY FINANCIAL DISCLOSURE REPORT BY APPLICANT

(A separate form must be completed by each applicant* - please see definition below)

Does any member of the Mayor and Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?

NO

If so, describe the nature and extent of such interest:

Does any member of the Mayor and Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten percent (10%) or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

NO

If so, describe the nature and extent of such interest:

Does any member of the Mayor and Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above?

NO

If so, describe the relationship and the nature and extent of such interest:

I certify that the foregoing information is true and correct, this 6/11/2025 day of _____, 20

[Handwritten Signature]

Applicant's Signature

*If the answer to any question is "Yes," then the Mayor or the member of the Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the City Council of Mableton, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

*Applicant means any person who applies for a rezoning action and any attorney, or other person representing or acting on behalf of a person who applies for a rezoning action

ATTACHMENT C2



CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

(A separate form must be completed by each applicant - please see definition below)*

Has the applicant² made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars (\$250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?

No

If so, the applicant and the attorney representing the applicant must file a disclosure report with the Mayor and Council of Mableton within ten (10) days after this application is first filed.

Please apply the following information that will be considered as the required disclosure:

The name of the member(s) of the Mayor and Council or Planning Commission to whom the campaign contribution or gift was made:

The dollar amount of each campaign contribution made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application and the date of each such contribution:

An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application:

I certify that the foregoing information is true and correct, this 6/11/2025 day of _____, 20

PROPERTY/FINANCIAL DISCLOSURE REPORT¹ BY APPLICANT²

(A separate form must be completed by each applicant* - please see definition below)

Does any member of the Mayor and Council or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?

No.

If so, describe the nature and extent of such interest:

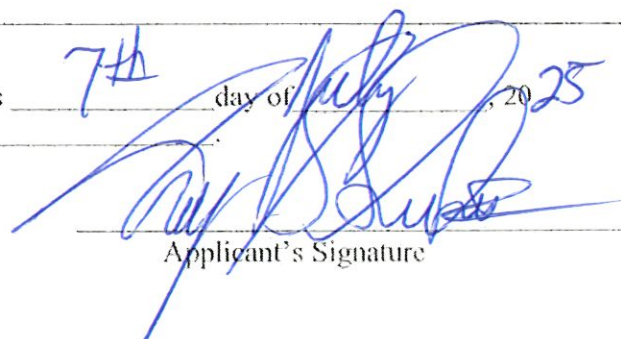
Does any member of the Mayor and Council or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten percent (10%) or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

If so, describe the nature and extent of such interest:

Does any member of the Mayor and Council or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above?

If so, describe the relationship and the nature and extent of such interest:

I certify that the foregoing information is true and correct, this 7th day of July, 2025


Applicant's Signature

¹If the answer to any question is "Yes," then the Mayor or the member of the Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the City Council of Mableton, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.
²Applicant means any person who applies for a rezoning action and any attorney, or other person representing or acting on behalf of a person who applies for a rezoning action

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No.

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Please apply the following information that will be considered as the required disclosure:

The name of the member(s) of the Mayor and Council or Planning Commission to whom the campaign contribution or gift was made:

The dollar amount of each campaign contribution made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application and the date of each such contribution:

An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application:

I certify that the foregoing information is true and correct, this

7th

day of
2025

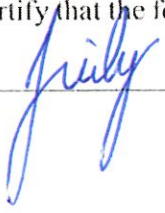
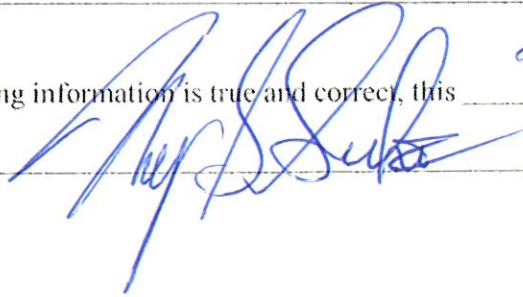
 

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 46 of the 18th District, 2nd Section, Cobb County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the southwest end of the miter line connecting the eastern Right-of-Way line of Lakeshore Drive (having a 40 foot right of way) and the southerly right of way line of Veterans Memorial Highway (a/k/a Bankhead Highway, having a 90 foot Right-of-Way); running thence Northeasterly along said miter line, 21.27 feet to a Right-of-Way monument found on the southerly Right-of-Way line of Veterans Memorial Highway; thence running Northeasterly along said Right-of-Way line 62.92 feet to a Right-of-Way monument found; thence continuing Northeasterly along said Right-of-Way line 83.45 feet to a broken Right-of-Way monument found and THE TRUE POINT OF BEGINNING; from said True Point of Beginning as thus established, thence continuing along said Right-of-Way line the following courses and distances; along the arc of a curve having a radius of 1,513.78, 101.56 feet (said arc being subtended by a chord having a bearing of North 78 degrees 13 minutes 22 seconds East, a distance of 101.54 feet); North 77 degrees 40 minutes 40 seconds East 97.26 feet; and North 77 degrees 21 minutes 21 seconds East, 59.51 feet to an iron pin set; thence leaving said Right-of-Way line and running South 03 degrees 31 minutes 22 seconds East, a distance of 675.44 feet to an iron pin found; thence running North 89 degrees 30 minutes 02 seconds West a distance of 259.95 feet to a one inch rebar; thence running North 03 degrees 10 minutes 44 seconds West, a distance of 620.09 feet to a broken Right-of-Way monument found on the southerly Right-of-Way line of Veterans Memorial Highway and the TRUE POINT OF BEGINNING.

Being shown as Tract on 1 on ALTA/ACSM Survey for Gordon D. Garrett, Georgia State Bank and Lawyer's Title Insurance Corp., made by CC Land Surveyors Incorporated, bearing the seals of Cathy Bishop Costarides, GA R.L.S. No. 2568, and Anastasios Cosarides, GA R.L.S. No. 2448 dated January 22, 2000, revised February 18, 2000, further revised April 13, 2000, further revised April 20, 2000.

Property Address (for information only): 380 Veterans Memorial Hwy, Mableton, GA 30126

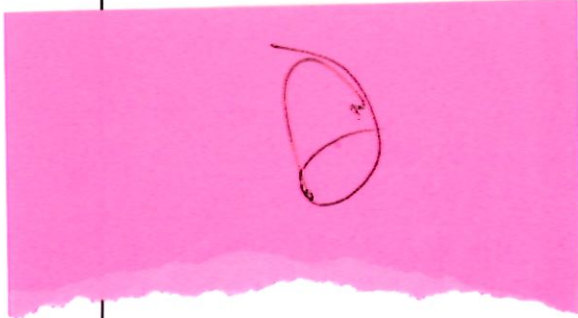
AND

All that tract or parcel of land lying and being in Land Lot 71 of the 18th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at a one inch iron pin found at the corner common to Land Lots 46, 47, 70 and 71, said District, Section and County; thence running South 01 degree 21 minutes 08 seconds East along the line dividing Land Lots 70 and 71, said District, Section and County, a distance of 315.17 feet to a 1/2 inch open top pipe found; thence continuing along said land lot line and running South 00 degrees 28 minutes 54 seconds West, a distance of 85.61 feet to a 2 inch open top pipe found; thence leaving said land lot line and running North 89 degrees 10 minutes 02 seconds West, a distance of 438.72 feet to a 1 inch crimp top pipe found; thence running North 88 degrees 47 minutes 30 seconds West, a distance of 110.05 feet to a 1 inch crimp top pipe found; thence running North 89 degrees 27 minutes 09 seconds West, a distance of 116.88 feet to an iron pin found; thence running North 00 degrees 25 minutes 32 seconds East, a distance of 169.61 feet to a 1 inch open top pipe found; thence running North 00 degrees 39 minutes 00 seconds East; a distance of 100.16 feet to a 1 inch open top pipe found; thence running North 00 degrees 28 minutes 06 seconds East, a distance of 99.95 feet to a 1/4 inch crimp top pipe found; thence running North 00 degrees 30 minutes 01 second East, a distance of 36.95 feet to a 1 inch open top pipe found; thence running South 89 degrees 29 minutes 41 seconds East, a distance of 655.43 feet to a 1 inch iron pin found, and the POINT OF BEGINNING.

Being shown as Tract 2 on ALTA/ACSM Survey for Gordon D. Garrett, Georgia State Bank and Lawyer's Title Insurance Corp., made by CC Land Surveyors Incorporated, bearing the seals of Cathy Bishop Costarides, GA R.L.S. No. 2568, and Anastasios Cosarides, GA R.L.S. No. 2448, dated January 22, 2000, revised February 18, 2000, further revised April 13, 2000, further revised April ____, 2000.

Property Address (for information only): 0 Veterans Memorial Hwy, Mableton, GA 30126.





Printed: 6/10/2025

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer:
RAYNOLD & A HOLDING

RAYNOLD & ALBERT HOLDING LLC

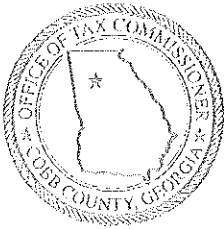
Payment Date: 8/28/2024

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2024	18004600360	10/15/2024	Pay:	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$9,615.43	\$0.00



Scan this code with your mobile phone to view this bill!





2024 COBB COUNTY PROPERTY TAX BILL



CARLA JACKSON
TAX COMMISSIONER

HEATHER WALKER
CHIEF DEPUTY

Pay online at www.cobbtax.org or (866) 729-2622
See the back of this bill for more important information

PO Box 100127 • Marietta, GA 30061-7027
(770) 528-8600 • tax@cobbtax.org

Pay Online

PAYMENT DUE: October 15, 2024

Payment must be received or **USPS Postmarked** by the due date. Metered or kiosk postmarks are not proof of timely mailing.

Property Owner(s)	Address	Due Date	Amount
RAYNOLD & ALBERT HOLDING LLC	380 VETERANS MEMORIAL HWY	10/15/2024	\$9,615.43

Parcel ID	Fair Market Value	Assessed Value	Acreage	Tax District	Homestead Exemption
18004600360	\$797,300	\$318,920	3.82	M	NONE

Taxing Authority	Assessed Value	-	Exemption	-	Net Assessment	x	Millage Rate	=	Taxes Due
SCHOOL	\$318,920		\$0		\$318,920		0.0187		\$5,963.80

Levied by the **Cobb County Board of Education** representing approximately **62.02%** of your taxes due.

COUNTY GENERAL	\$318,920		\$0		\$318,920		0.00846		\$2,698.06
COUNTY BOND	\$318,920		\$0		\$318,920		0		\$0.00
COUNTY FIRE	\$318,920		\$0		\$318,920		0.00299		\$953.57

Levied by the **Board of Commissioners** representing approximately **37.98%** of your taxes due.

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due
2024	18004600360	10/15/2024	Pay: N/A	or \$9,615.43

Payment must be received or **USPS Postmarked** by the due date. Metered or kiosk postmarks are not accepted as proof of timely mailing.

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due	Amount Enclosed
2024	18004600360	10/15/2024	Pay: N/A	or \$9,615.43	

Late fees apply after October 15, 2024
(See back)

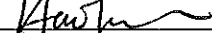
IS YOUR INFORMATION UP TO DATE?

My mailing address
has changed.

I no longer own this
property.

Date Moved: _____

New Mailing Address:

Signature : 

2024 Cobb County Property Tax Bill

Internal Use

RAYNOLD & ALBERT HOLDING LLC

or Current Property Owner
10630 MONTCLAIR WAY



JOHNS CREEK, GA 30097

STATEMENT OF INTENT

This Statement of Authorization hereby certifies that Haijie Lin currently holds the office of President for the Georgia limited liability company Raynold & Albert Holding LLC (the "Company"). As President, and sole officer of the Company, Haijie Lin is duly authorized to execute documents on behalf of the Company and to bind the Company. Haijie Lin was and is duly authorized to execute the Variance Application to the City of Mableton to which this Statement is attached. The signature of Haijie Lin and the seal imprinted hereon are genuine and authentic.



HAIJIE LIN

President, Raynold & Albert Holding LLC

(CORPORATE SEAL)

ARTICLES OF ORGANIZATION

Electronically Filed
Secretary of State
Filing Date: 8/10/2021 4:08:55 PM

BUSINESS INFORMATION

CONTROL NUMBER 21218184
BUSINESS NAME Raynold&Albert Holding LLC.
BUSINESS TYPE Domestic Limited Liability Company
EFFECTIVE DATE 08/10/2021

PRINCIPAL OFFICE ADDRESS

ADDRESS 4191 Pleasantale Rd, Doraville, GA, 30340, USA

REGISTERED AGENT

NAME	ADDRESS	COUNTY
Haijie Lin	4191 Pleasantdale Rd, Doraville, GA, 30340, USA	Dekalb

ORGANIZER(S)

NAME	TITLE	ADDRESS
Haijie Lin	ORGANIZER	4191 Pleasantdale Rd, Doraville, GA, 30340, USA

OPTIONAL PROVISIONS

N/A


AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE Haijie Lin
AUTHORIZER TITLE Organizer

IMPACT STATEMENT

Comes now Haijie Lin, on behalf of Raynold & Albert Holding LLC, and hereby states that:

1. The Applicant seeks a variance waiving the front and side minimum setback requirements to 0 feet. This is requested as an accommodation to the as-built structure that has existed on the property for approximately 25 years.
2. The Applicant's business operations on the property will conform with the current zoning of CRC (conditional) with the waived setbacks.
3. The variance will not cause substantial detriment to the public good, as the building has been in existence without issue for approximately 25 years. If the variance is not granted, the Applicant will not be able to operate its business as intended on the property, and the property will not be put to any use, which would be more harmful to the public to have empty structures than to have an existing building impede the setbacks.
4. The variance would not be injurious to the use and enjoyment of the environment or of any other property in the immediate vicinity. The building has been in this state, with less than the required setbacks, for approximately 25 years without harm to environment or neighboring properties. Leaving the property empty and unused because of an inability to obtain the variance and operate a business within it would be more of an injury, nuisance, or eyesore to neighboring properties.
5. The variance would not diminish or impair property values within the surrounding neighborhood, as the variance is simply requesting a maintenance of the status quo. Leaving the property empty and unused would, on the other hand, potentially diminish property values of not only the subject property but also the neighboring properties.
6. The variance would not impair the purpose of the zoning ordinance, as the Applicant is not seeking a waiver for new construction in violation of the minimum setbacks. The Applicant is seeking to avoid the unnecessary waste of demolishing all or a portion of an existing structure.



Raynold & Albert Holding LLC, Applicant

By: Haijie Lin, President

ATTACHMENT TO APPLICATION FOR VARIANCE

BEFORE THE CITY OF MABLETON
Constitutional Challenge

COMES NOW, Applicant, RAYNOLD & ALBERT HOLDING LLC, and asserts the following:

By Application for Variance dated and filed on or about June 11, 2025 (hereinafter the "Application"), the Applicant requested a variance for certain real property (hereinafter referred to as the "Property") situated in Mableton, Georgia, a more particular description and delineation of the Property being set forth in said Application.

The Application seeks variances from the existing applicable zoning minimum setback requirements to accommodate the as-built structure, which has been in existence for approximately 25 years and which cannot be altered to comply with the minimum setbacks without undue waste and hardship to the Applicant. The setback requirements set forth in the Mableton Zoning Ordinance is unconstitutional as applied to the Property in that said Ordinance deprives Applicant of its Property under and pursuant to Art. 1 §I, ¶¶ I and II of the Georgia Constitution of 1983, and the Equal Protection and Due Process Clauses of the Fifth and Fourteenth Amendment to the Constitution of the United States of America. This deprivation of Property without due process violates the constitutional prohibition against the taking of private property without just compensation. The applicable zoning categories (including, but not limited to, zoning and overlay district requirements), as the presently exist, violate the Applicant's rights to a reasonable economic use of their property in that the Property cannot be altered to comply with the setbacks without undue waste and hardship. Said zoning classification and regulations pursuant to said zoning classifications do not bear a substantial relation to the public health, safety, morality or general welfare and are therefore confiscatory and void. Further, said Ordinance is unconstitutional in that it is arbitrary and unreasonable resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss on the Applicant.

The Mableton Zoning Ordinances are further unconstitutional in that same violates Applicant's constitutionally guaranteed rights to due process, both substantive and procedural. Furthermore, any such action to enforce it is an unconstitutional use of the zoning power and would constitute an abuse of discretion with no justification or benefit flowing to the public welfare. Accordingly, said Ordinance or action would likewise represent a taking of private property rights without the payment of just and adequate compensation in violation of the Constitutions of the State of Georgia and the United States of America.

The Mableton Zoning Ordinance is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with the Application also violate Art. 1, §I, ¶¶ I, II and XII of the Georgia Constitution of 1983 in that said procedures impose unreasonable time restraints, contain the inability to confront a

witness, contain the lack of procedural and evidentiary safeguards, and do not restrict evidence received to the issue at hand. These procedures fail to comport with the due process requirements of the Constitution of the State of Georgia 1983 and the due process requirements of the Constitution of the United States of America.

SMITH & LISS, LLC

By: 

RAY S. SMITH, III
Georgia Bar No. 662555
Attorney for Applicant

SMITH & LISS, LLC
7000 Central Parkway, Suite 1075
Atlanta, Georgia 30328
Telephone 404-760-6000
Facsimile 404-760-0225

RAYNOLD & A HOLDING
10630 MONTCLAIR WAY
JOHNS CREEK, GA 30097


1080

64-389/611
8655

7-7-2025

DATE

CHECK ARMOR
PROTECTION

Pay to the Order of City of Mableton \$ \$500.00
Five Hundred ~~to~~ DOLLARS  Photo Safe Deposit® Details on back



EASTWEST BANK

3490 Shallowford Road, Ste. 100, Atlanta, GA 30341
1-888-895-5650

For VAN - 257005 Aashi MP

⑆06⑆⑆103894⑆ 86550093⑆7⑆ 1080

Harland Clarke

Processed



BOARD OF ZONING APPEAL STAFF REPORT

GENERAL INFORMATION

CASE NUMBER: VAR2025-005

APPLICANT: Rayhold & Albert Holding LLC

REQUEST: To reduce the front yard setback from 50' to 30' and side yard setback from 10' to zero.

PROPERTY LOCATION: 380 Veterans Memorial Hwy, Mableton, Georgia

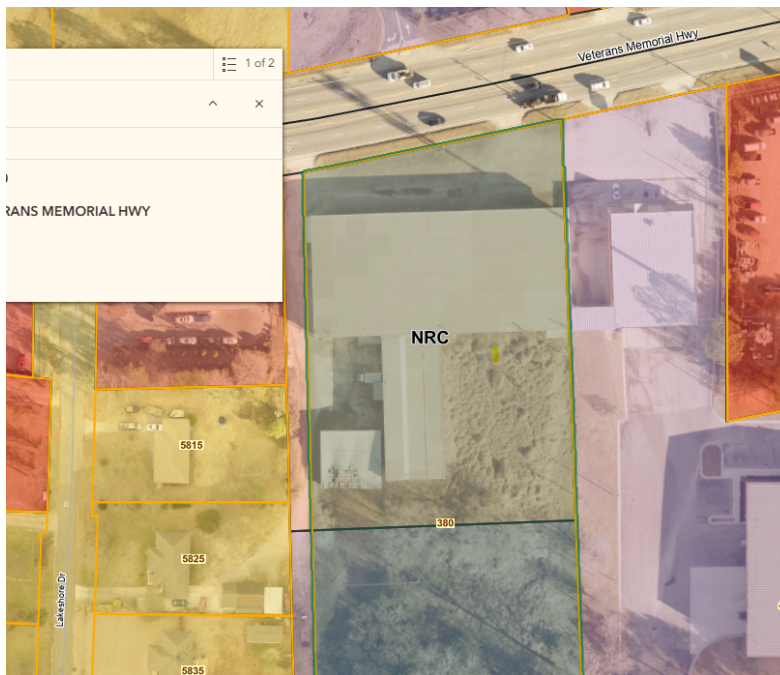
PARCEL ID: 19129600430

ACREAGE: 4.9

HEARING DATE: August 14th 2025

DISTRICT: 3

ZONING MAP

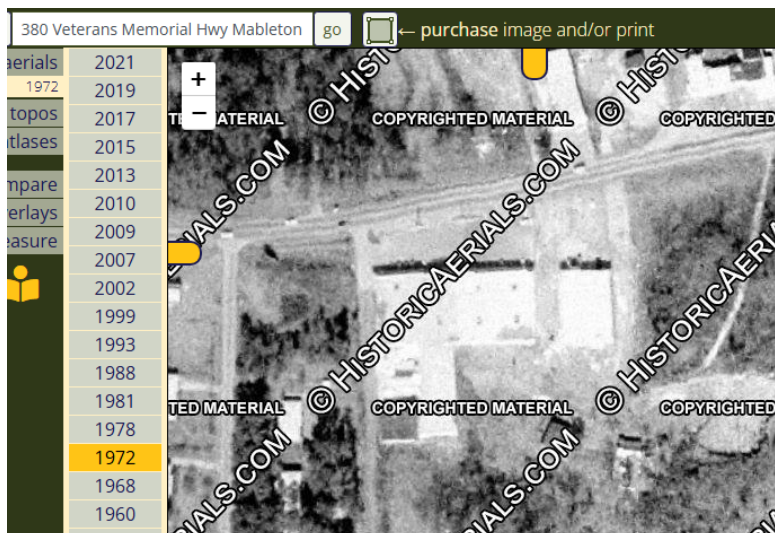


I. Purpose of Request

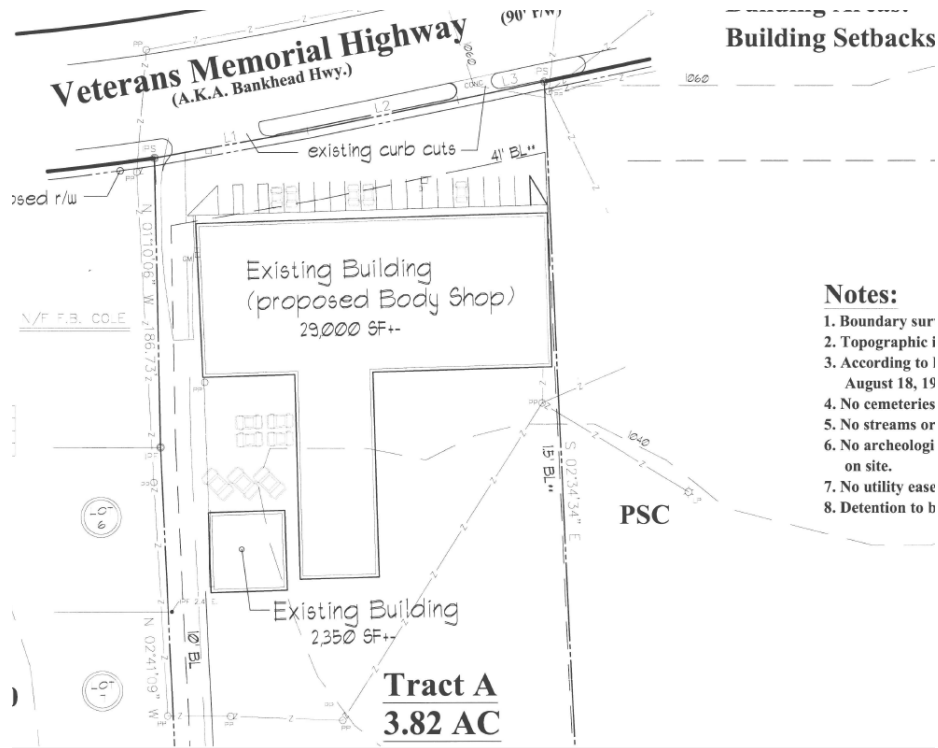
The applicant seeks a variance to reduce the required 50-foot front yard setback to 40 feet and the 10-foot side yard setback to zero feet for an existing building. The subject building was constructed in 1968, prior to the adoption of Cobb County's zoning ordinance in 1973, and thus predates established setback requirements. For reference, the adjacent building was built in 1972, also preceding the zoning ordinance and setback standards.



The adjacent building was built in 1972 a year prior to Cobb County adopting a zoning ordinance, established building setback standards. Please see the picture below for reference. The following year the property would be labeled as Light Industrial resulting in a non-conforming structure under the subsequent zoning regulations.



In 2016, the property was reviewed under Zoning Case Z-40 for proposed auto collision repair, vehicle sales, and a change from LI (Light Industrial) to CRC (Community Retail Commercial); however, the Board of Commissioners modified the request and rezoned the property to NRC (Neighborhood Retail Commercial). Documentation related to the concept plan is included with this submission.



In 2021, the current property owner acquired the property for use as a general merchandise business, offering products ranging from kitchen equipment to apparel. The owner subsequently submitted a permit application to Cobb County for minor interior renovations, including the addition of restrooms and a breakroom area. The county, however, denied the application due to the building's encroachment onto an adjacent property. Before the applicant was able to resolve the matter with the county, zoning authority was transferred to the City of Mableton. Please see the survey below for reference.

predates the zoning code, this hardship was not self-created and would deprive the property owner of reasonable use and flexibility in maintaining or improving the structure.

iii) Such conditions are peculiar to the property involved:

The conditions giving rise to this variance request are unique to this property. The combination of the building's large footprint, its existing location within the side yard setback, and the fact that it was legally constructed before the adoption of the zoning ordinance are circumstances not commonly shared by other properties in the area. This makes the condition peculiar to this parcel.

iv) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter:

Granting the variance would not negatively impact the public good, as the structure has existed in its current location for over 60 years without documented harm to neighboring properties or the community. Nor would it impair the purposes or intent of Section 3.3 – Bulk Regulations, which are generally intended to ensure adequate spacing between structures for safety, privacy, and aesthetics. In this case, the structure's existing configuration has not been shown to undermine these goals.

v) No variance may be granted for a prohibited use or in conflict with stipulations:

The requested variance is solely for relief from a dimensional requirement under Section 3.3 and does not propose any use that is prohibited within the applicable zoning district. Furthermore, it does not conflict with any existing stipulations tied to the property. Therefore, the request is consistent with the use provisions of the zoning ordinance and within the scope of relief allowable under the variance process.

Staff Recommendation.

Staff finds that the variance request does meet the required criteria for approval under the zoning ordinance. Therefore, staff recommends approval of the variance with the following stipulations;

1. The side yard setback is hereby reduced to zero (0) feet, and the front yard setback is reduced to forty (40) feet, applicable to the existing principal structure.
2. No future additions or expansions shall further encroach into the side yard setback area without obtaining a separate variance approval.
3. All renovations, improvements, or maintenance shall be confined to the existing building footprint. No modifications shall increase the structure's nonconformity with respect to the side yard setback.

