



**CITY OF MABLETON, GEORGIA**  
5656 Mableton Parkway , Mableton , GA  
November 13, 2025 at 6:00 PM

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Conrad A. Woods – Board of Zoning Appeals Member – District 1  
Gerri Aldridge - Board of Zoning Appeals Member – District 2  
Helen Butler-Simmons Board of Zoning Board of Zoning Appeals Member District - 3  
Christopher S. Semler Board of Zoning Appeals Member – District 4  
Wendy Brown-Sanders Board of Zoning Appeals Member – District 5  
Chijioko Ebbis Board of Zoning Appeals Member – Mayor Appointment

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**BOARD OF ZONING APPEALS MEETING AGENDA**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
- 4. UNFINISHED BUSINESS**
- 5. NEW BUSINESS**
  - a. VAR-2025-006: A request by TKHC Ministries to reduce the minimum five (5) acre lot for the development of a church located at 550 Lions Club Drive and Lions Club Drive. (Tax Parcel 17010700100 and 17010700480)**
  - b. VAR-2025-007: A request by Jehan Ruffin c/o Alan Humble/Artistic Pools to reduce the buffer and setback for the placement of a swimming pool located at 1040 Highland Village Trail (Tax Parcel 18006600550)**
  - c. A request by The Manor Prep School for encroachment in the landscape buffer located at 130 Veterans Memorial Hwy SE (Tax Parcel 18004400080)**
- 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](mailto: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.

RECEIVED  
OCT 10 2025  
@ 4pm  
BY: Latemica Richards

# Application for Variance

## Mableton, Georgia

(type or print clearly)

Application No. VAR 25-006

Hearing Date: 12/14/25

11/13/25

Applicant Thy Kingdom Has Come Int

Phone # 678-249-3478

E-mail info@tkhcministries.com

Teresa M. Goggins

Address PO Box 67 Smyrna, GA 30081

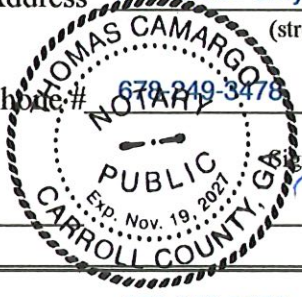
(representative's name, printed)

(street, city, state and zip code)

Teresa M. Goggins  
(representative's signature)

Phone # 678-249-3478

E-mail ladytgogginsministries@gmail.com



Signed, sealed and delivered in presence of:

My commission expires: 19 Nov 2027

Thomas  
Notary Public

Titleholder TKHC Ministries

Phone # 678-249-3478

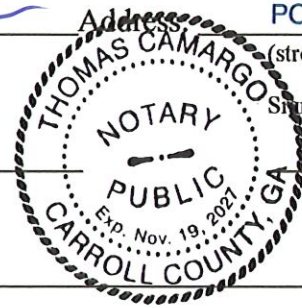
E-mail info@tkhcministries.com

Signature

Teresa M. Goggins  
(attach additional signatures, if needed)

Address PO Box 67 Smyrna, GA 30081

(street, city, state and zip code)



Signed, sealed and delivered in presence of:

My commission expires: 19 Nov 2027

Thomas  
Notary Public

Present Zoning of Property R-20

Location 550 Lions Club Drive, Mableton

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 107 District 17 Size of Tract 4.62 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 4.62 acres 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? one How many square feet? 4,800

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 property does not meet the minimum required area of five acres.

List type of variance requested: Reduction from the the minimum lot area of 5 acres to 4.62 acres

PROPERTY/FINANCIAL DISCLOSURE REPORT<sup>1</sup> BY APPLICANT<sup>2</sup>

(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:

NA

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:

NA

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:

NA

I certify that the foregoing information is true and correct, this 27 day of Aug, 20

Applicant's Signature

<sup>1</sup>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.

<sup>2</sup>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 REPORT<sup>1</sup> BY APPLICANT<sup>2</sup>

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

Has the applicant<sup>2</sup> 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:

NA

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:

NA

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:

NA

I certify that the foregoing information is true and correct, this 27 day of

Aug

, 20

Applicant's Signature

<sup>1</sup>If the answer to any question is "Yes," then the member of the Mayor and 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.

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## Staff Recommendation

Staff recommends *Approval with Conditions*, subject to City of Mableton review and adoption of the landscape report and Cobb County Stormwater Management review and approval of the final hydrology report and site plan.

## Conditions of Approval

### 1. Cobb County Stormwater Approval:

- The applicant shall obtain **Cobb County Stormwater Management Division approval** of the **hydrology report and final site plan** prior to the issuance of the **certificate of occupancy** by the City of Mableton.
- All drainage facilities shall comply with applicable County stormwater regulations and best management practices (BMPs).

### 2. Landscape Buffer and Tree Conservation:

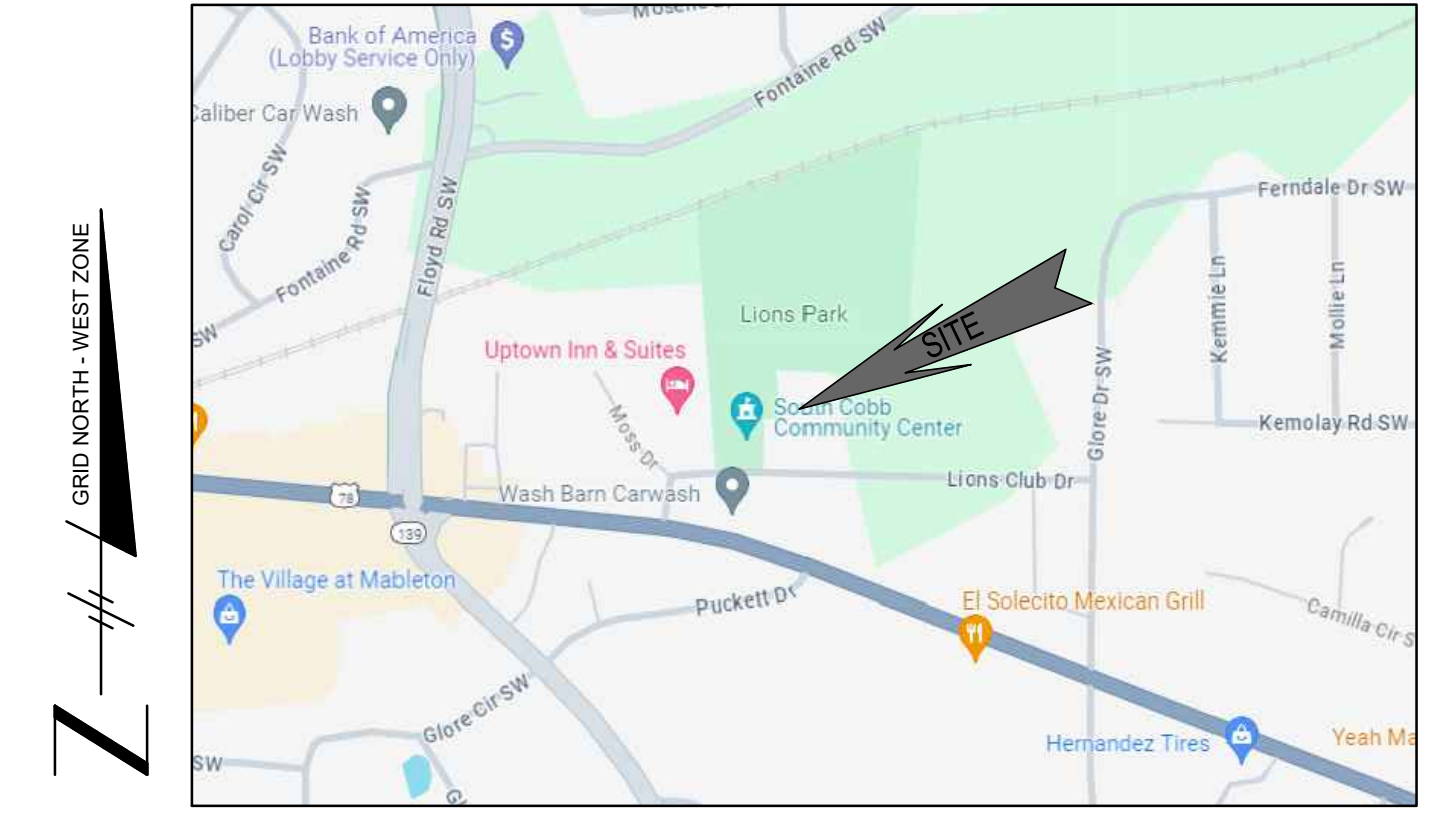
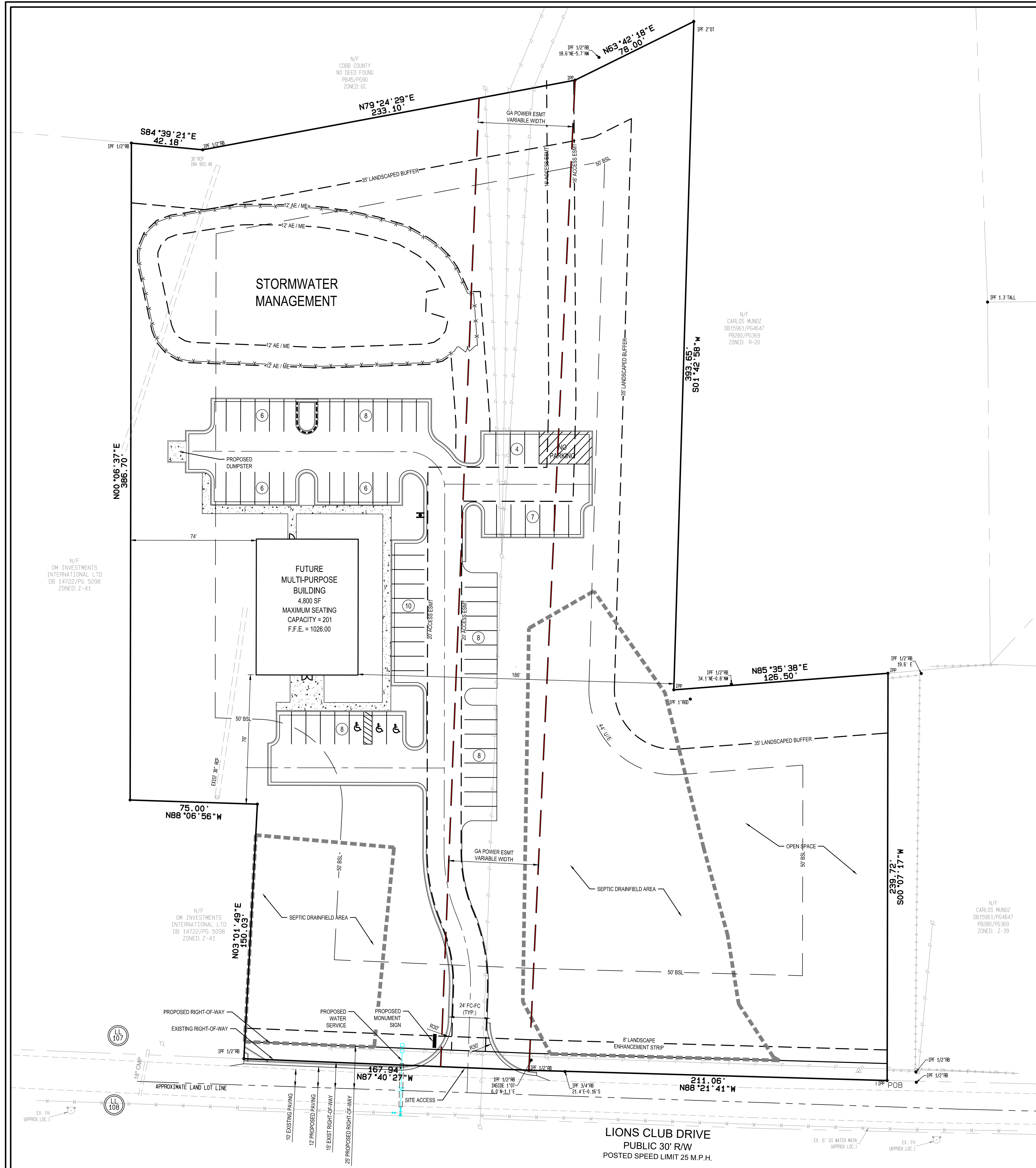
- The applicant shall maintain a **minimum landscape buffer** of **[X feet]** along the **[specific boundary line]** where feasible.
- Areas where buffer encroachment is approved shall include **enhanced plantings** to maintain visual screening and environmental quality.
- All plantings must comply with **City of Mableton Landscape Standards** and be shown on a detailed **Landscape Plan** submitted for review and approval by the Planning Division prior to permitting.

### 3. Tree Conservation and Reforestation Contribution:

- The applicant shall contribute to the **City of Mableton Tree Bank** a monetary donation equivalent to the replacement value of **[specify number or caliper inches, e.g., 10 three-inch caliper trees]** in lieu of on-site replanting where space is constrained.
- Proof of donation shall be provided to the **City of Mableton Planning Department** prior to final inspection or Certificate of Occupancy issuance.

### 4. Site Plan Conformance:

- Development shall substantially conform to the site plan submitted with this application, subject to modifications required by the County's **Stormwater Division, Arborist, and Planning Staff** during final review.



**NOTE:**  
PARKING REQUIRED (1 SPACE PER 4 SEATS) = 51 SPACES  
PARKING PROVIDED = 71 SPACES

**NOTE:**  
THERE ARE NO LAKES, STREAMS, WETLANDS, CEMETERIES,  
ARCHITECTURAL OR ARCHEOLOGICAL LANDMARKS ON THE SITE.

DEVELOPMENT DATA	
PARCEL #:	17010700480 & 17010700100
CURRENT ZONING:	GENERAL COMMERCIAL
PROPOSED ZONING:	R-20
TOTAL SITE AREA:	4.62 AC
% OF OPEN SPACE REQUIRED:	NONE
MINIMUM LOT SIZE:	5.0 AC
MAXIMUM LOT COVERAGE:	70%
MAXIMUM BLDG HEIGHT:	55'
MINIMUM LOT WIDTH:	75'
SETBACKS:	
FRONT -	50'
SIDE -	50'
REAR -	50'

**OWNER/DEVELOPER/PRIMARY PERMITTEE:**

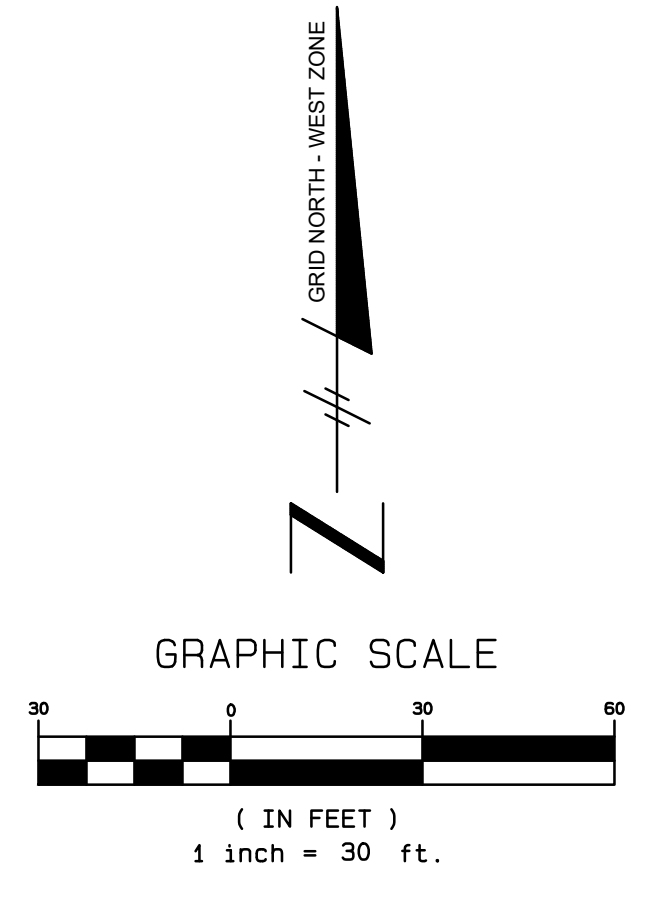
TKHC MINISTRIES  
P.O. BOX 67  
SMYRNA, GA 30081  
PHONE: (706) 540-7318

**24 HOUR CONTACT:**

TERESA GOGGINS  
PHONE: (706) 540-7318

**ENGINEER:**

WATTS & BROWNING ENGINEERS, INC.  
1349 OLD 41 HWY NW, SUITE 225  
MARIETTA, GA 30060  
PHONE: (678) 324-6192  
FAX: (770) 684-6870  
CONTACT: DARYL COOK



**ZONING PLAN**  
FOR  
**TKHC MINISTRIES**  
LAND LOT 107 ~ 17TH DISTRICT ~ 2ND SECTION  
CITY OF MABLETON,  
COBB COUNTY, GEORGIA



GSWCC LEVEL II CERTIFICATION NO. 31908  
EXPIRES: 01/12/2028

NO.	DATE	BY	DESCRIPTION
1	03/13/2025	ZK	1st submittal

**WATTS & BROWNING ENGINEERS, INC.**  
CIVIL ENGINEERS & LAND SURVEYORS  
1349 OLD 41 HWY NW, SUITE #225  
MARIETTA, GEORGIA 30060  
PHONE: (678) 324-6192  
FAX: (770) 684-6870  
WWW.WBENR.COM  
LSF000429 - PEF000714

SCALE:	1" = 30'
DESIGNED BY:	ZK
DRAWN BY:	ZK
CHECKED BY:	DRC
INITIAL ISSUE DATE:	03/13/2025
JOB NUMBER:	240122
SHEET NUMBER:	Z-1





## BOARD OF ZONING APPEAL STAFF REPORT

### GENERAL INFORMATION

**CASE NUMBER:** VAR2025-006

**APPLICANT:** Thy Kingdom Come c/ Teresa M. Goggins

**REQUEST:** To reduce the minimum lot size requirement for a church located in a residential zone district.

**PROPERTY LOCATION:** 550 Lions Club Drive and Lions Club Drive, Mableton, Georgia

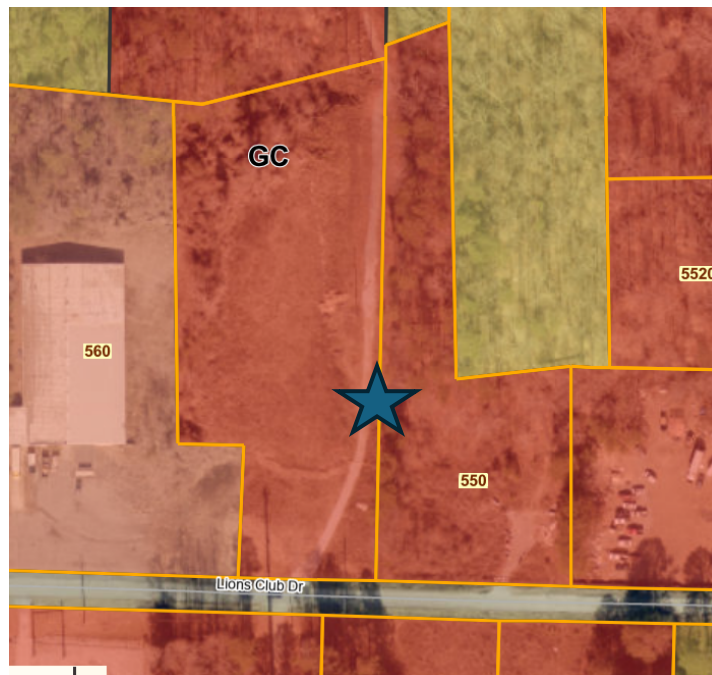
**PARCEL ID:** 17010700100 and 17010700480

**ACREAGE:** 4.6

**HEARING DATE:** November 13, 2025

**DISTRICT:** 3

### ZONING MAP

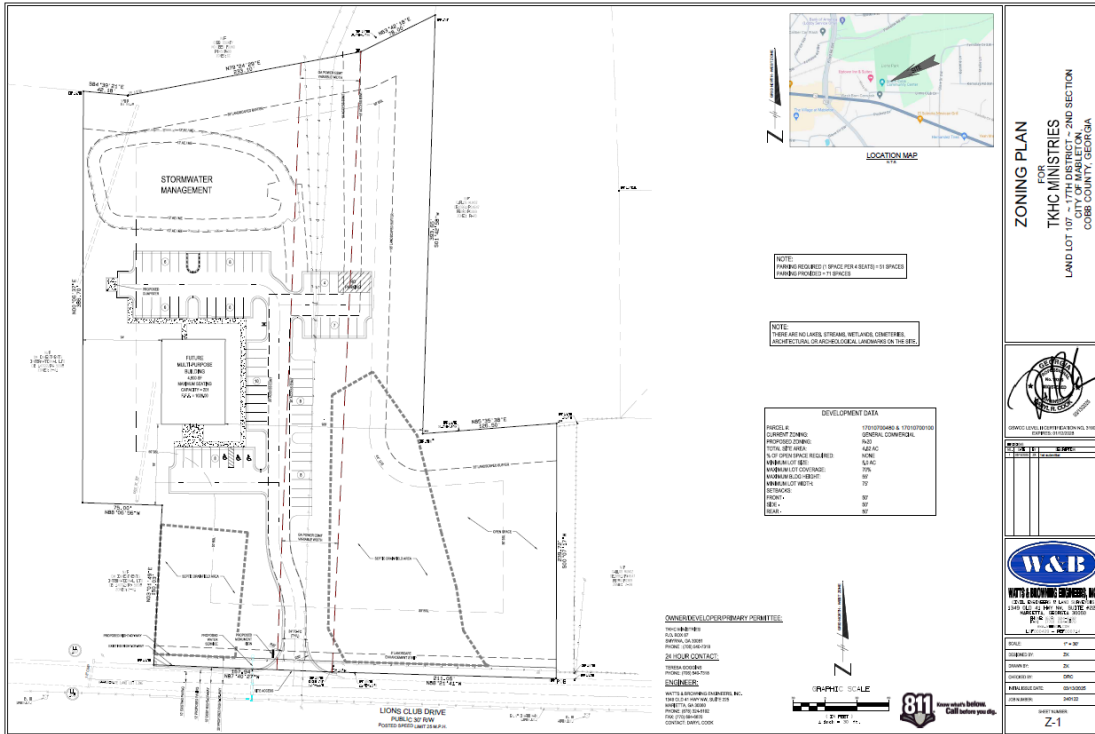


Star = Subject Property

## I. Purpose of Request

The applicant is requesting to reduce the required minimum lot requirement of five (5) acres for the development of 4,500 square foot church. The subject was recently approved to be rezoned from GC (General Commercial) to R-20 (Residential Single Family) District for the development of the church.

### Proposed Site Plan



## II. Code Requirements

Per Code Sec 4.02 Special Exception Uses; (4)(a) Minimum lot size is five usable acres, excluding flood plain.

Per Section 10.32 Board of Zoning Appeals (d)(3) ; Variances may only be granted upon meeting specific hardship criteria and where impacts can be mitigated. Please see the staff analysis in the following paragraph.

## III. Staff Analysis

i) Extraordinary and exceptional conditions pertaining to the particular piece of property due to size, shape, or topography:

The subject property consists of approximately 4.6 acres and is irregularly shaped, with two connected portions resembling the letters “L” and lower-case “q.” This configuration results in a fragmented layout that limits the contiguous buildable area. Although slightly below the 5-acre minimum standard for church uses, the property’s overall area and irregular geometry create unique site conditions that make it difficult to meet the acreage requirement without acquiring additional land.

**ii) Application of this chapter to this property would create an unnecessary hardship:**

Strict application of the 5-acre minimum requirement would preclude the establishment of a church use on this parcel, despite the property being nearly compliant and of sufficient size to accommodate the use with appropriate buffering, access, and parking. The hardship is not self-created, as the parcel’s configuration and acreage existed prior to the applicant’s proposal. Enforcing the standard literally would prevent reasonable use of the property consistent with other institutional developments in the area.

**iii) Such conditions are peculiar to the property involved:**

The property’s irregular shape and slightly sub-standard acreage are peculiar characteristics not common among other residential parcels within the district. Most neighboring lots are more regularly shaped and smaller in total area, while this property’s unique geometry and near-compliance with the 5-acre threshold distinguish it from typical residential tracts. These factors make the condition specific to this parcel rather than general to the area.

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

Granting relief to allow a church use on a 4.6-acre parcel would not be expected to cause substantial detriment to the public good, provided that all other development standards—such as setbacks, parking, access, and buffering—are satisfied. The intent of the 5-acre minimum is to ensure adequate area for congregation operations and mitigate potential impacts on adjacent residential properties. Given the site’s size and configuration, these objectives can still be achieved while allowing limited relief from the acreage requirement.

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

The proposed church use is a permitted special exception within the residential zoning district, subject to meeting applicable conditions. The variance request does not involve a prohibited use and does not conflict with any existing zoning stipulations or conditions.

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**Staff Recommendation.**

Based on the analysis, staff recommends Approval of the variance request with the following stipulations;

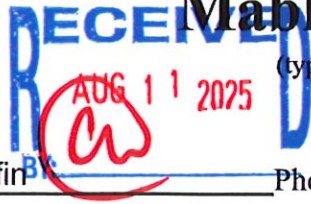
1. The site shall comply with all other applicable zoning and development regulations.
2. A detailed site plan, including building placement, access, parking, and landscaping, shall be submitted for staff review and approval prior to issuance of any development permits.
3. Adequate buffering and screening shall be provided along all property boundaries adjacent to residential uses, subject to staff approval.

PAID

AUG 11 2025



# Application for Variance Mableton, Georgia



Application No. VAR 25-007  
Hearing Date: 10/16/25

Applicant Jehan Ruffin Phone # 954-592-5914 E-mail jalruffin@gmail.com

Alan Humble/Artistic Pools Address 1040 Highland Village Trail Mableton GA 30126  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 770-722-1652 E-mail alanh@artisticpools.com  
(representative's signature)

My commission expires: April 17, 2028 Signed, sealed and delivered in presence of: Rachel Turner  
Notary Public

Titleholder Representative Phone # 770-722-1652 E-mail \_\_\_\_\_  
Signature [Signature] Address: 1040 Highland Village Trail Mableton GA 30126  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 8/26/28 Signed, sealed and delivered in presence of: [Signature]  
Notary Public

Present Zoning of Property Single Family Residential  
Location 1040 Highland Village Trail Mableton GA 30126  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 66 & 67 District 18th Size of Tract 0.3443 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

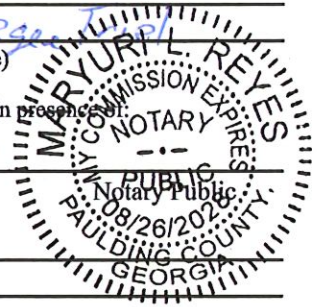
Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO

How many stories is the proposed building? N.A. How many square feet? N.A.

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.

Due to road frontage on three sides of the property and stormwater drainage on the fourth side, the proposed location of the pool is the only location to construct the pool. Without the variance, the pool can not be installed.

List type of variance requested: Reduce 40' conservation buffer to 30' to allow for pool placement, and to reduce 20' sign buffer to 17' to allow for decking. Both buffers are currently bermuda turf. Planting buffers proposed beyond pool/decking.



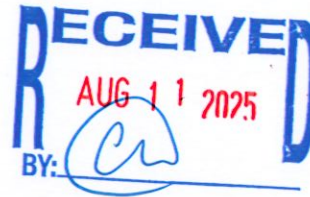
Failure to attend may result in dismissal with prejudice, rejection of the application or continuance of the hearing at the Board's sole discretion.

3. **Application Fees.** Fees must be paid by credit card or Venmo. To qualify for the residential fee schedule, the applicant must be the present or future resident.
  - a. Residential - \$150.00
  - b. Churches -\$450.00
  - c. Livestock - \$25.00
  - d. Builders -\$450.00
  - e. Commercial - \$500.00
  
4. **Mailings.** Applicants are required to provide a Certificate of Mailing that demonstrates that all property owners adjacent to the subject property have been notified of the Variance application. Applicants are encouraged to provide the letter to city staff for a cursory review prior to completing the Certificate of Mailing. The notice must be postmarked 30 calendar days prior to the Planning Commission Hearing. The applicant/representative is required to file with the Zoning Division proof of the mailing no later than 21 days prior to the Planning Commission Zoning Hearing for which the application is scheduled to be considered. Staff is authorized to continue any pending case in which the above requirements are not met. The notification must include:
  - a. A legible copy of the application and site plan
  - b. Phone numbers and email addresses for the applicant and the City zoning office.
  
5. **Reduction in Lot Size or Public Road Frontage.** Variances for a reduction in lot size or a reduction in public road frontage cannot be heard by the Board of Zoning Appeals. These two types of variances can only be heard by the Mayor and Council via the "Other Business" process. Please see the "Other Business" application for the requirements, fees and hearing dates.
  
6. **Public Contact.** Variance applications are public information and will be visible on the City website, advertised in the newspaper and otherwise disseminated to the general public. Applicants and their representatives should expect communication (phone calls, emails) from members of the public and should respond to their questions and concerns with complete, factual information and courtesy.
  
7. **Reconsideration.** Any variance request may not be reconsidered for a period of twelve (12) months after it has been rejected by the Board of Zoning Appeals, unless by court order or pursuant to a settlement of litigation approved by the Board of Zoning Appeals.

#### List of Attachments

- ✓ Attachment A – Variance Application
- ✓ Attachment B – Warranty Deed
- ✓ Attachments C1 & 2 – Disclosure Forms
- Attachment D – Legal Description
- ✓ Attachment E – Site Plan
- Attachment F – Sign Variances Only
- Attachment G – Tax Receipt
- ~~Attachment H – Septic Tank Documentation~~

Prepared By:  
Weissman PC  
3500 Lenox Road, 4<sup>th</sup> Floor  
Atlanta, GA 30326



File No.: W-R-03385-24-MT

Parcel ID: 18006600550

## LIMITED WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF FULTON

THIS INDENTURE, made this 21st day of June, 2024 by and between **Greenwood Highlands Village, LLC**, a Georgia **limited liability company**, as party or parties of the first part, hereinafter called Grantor, and **Jehan Alexandria Lee Ruffin**, 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 DOLLARS AND NO/100 (\$10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt 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, the following described property, to-wit:

**SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE HERETO**

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 tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, only to the 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 above described property unto the said Grantee against the claims of all persons claiming by, through, or under Grantor herein.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, on the date and year above written.

Signed, sealed and delivered  
in the presence of:

Unofficial Witness

Notary Public

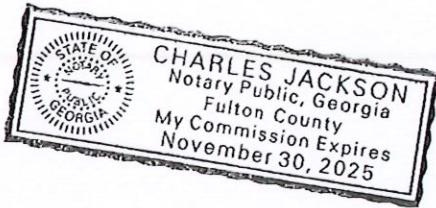
My Commission Expires:

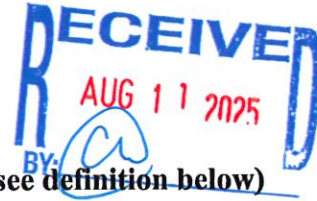
11/30/25

Greenwood Highlands Village LLC, a Georgia limited liability  
company

BY:

Rashun Michael, Sole Member





PROPERTY/FINANCIAL DISCLOSURE REPORT<sup>1</sup> BY APPLICANT<sup>2</sup>

(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 11<sup>th</sup> day of August, 2025

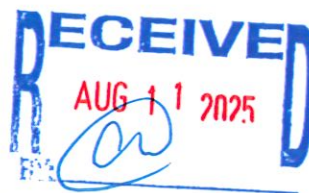
[Handwritten Signature]

Applicant's Signature

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ATTACHMENT C2



CAMPAIGN DISCLOSURE REPORT<sup>1</sup> BY APPLICANT<sup>2</sup>

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

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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:

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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:

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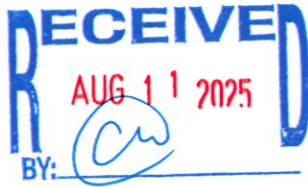
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An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing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

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I certify that the foregoing information is true and correct, this 11<sup>th</sup> day of, August, 2025

  
Applicant's Signature

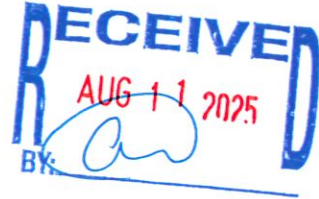
<sup>1</sup>If the answer to any question is "Yes," then the member of the Mayor and Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the City Council of Mableton, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

<sup>2</sup>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

**Merchant: City of Mableton**

1400 Veterans Memorial Highway  
Mableton, GA 30126  
US

4045902511



Order Information

Description: 1040 Highland Village Trail

Order Number:

P.O. Number:

Customer ID:

Invoice Number: VAR-2025-007

Billing Information

Alan Humble

Shipping Information

Shipping: 0.00  
Tax: 0.00  
Total: USD 265.00

Payment Information

Date/Time: 11-Aug-2025 11:41:52 EDT  
Transaction ID: 121178488645  
Transaction Type: Authorization w/ Auto Capture  
Transaction Status: Captured/Pending Settlement  
Authorization Code: 08706G  
Payment Method: Visa XXXX7730









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## BOARD OF ZONING APPEAL STAFF REPORT

### GENERAL INFORMATION

**CASE NUMBER:** VAR2025-007

**APPLICANT:** Jehan Ruffin c/o Artistic Pools/ Alan Humble

**REQUEST:** To allow for the placement of the swimming pool to be closer than 100 feet from the property line.

**PROPERTY LOCATION:** 1040 Highland Village Trail, Mableton, Georgia

**PARCEL ID:** 18006600550

**ACREAGE:** 0.4

**HEARING DATE:** November 13, 2025

**DISTRICT:** 4

---

### ZONING MAP

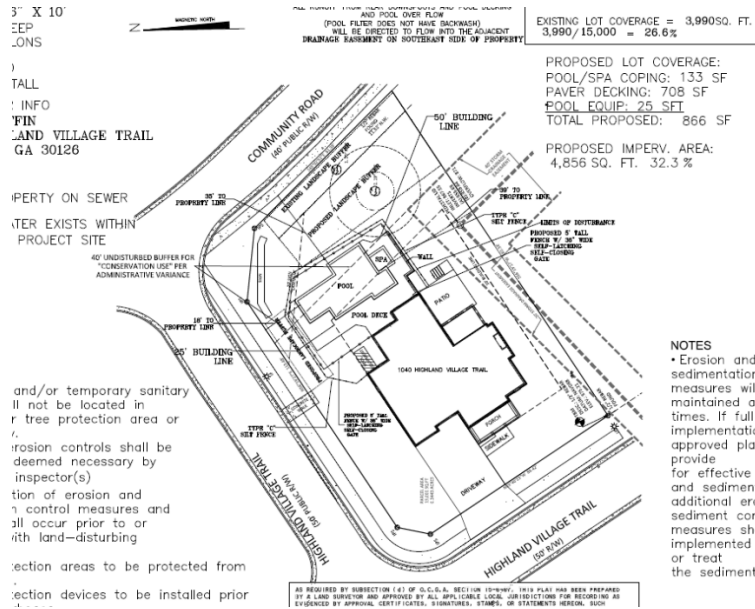


Star = Subject Property

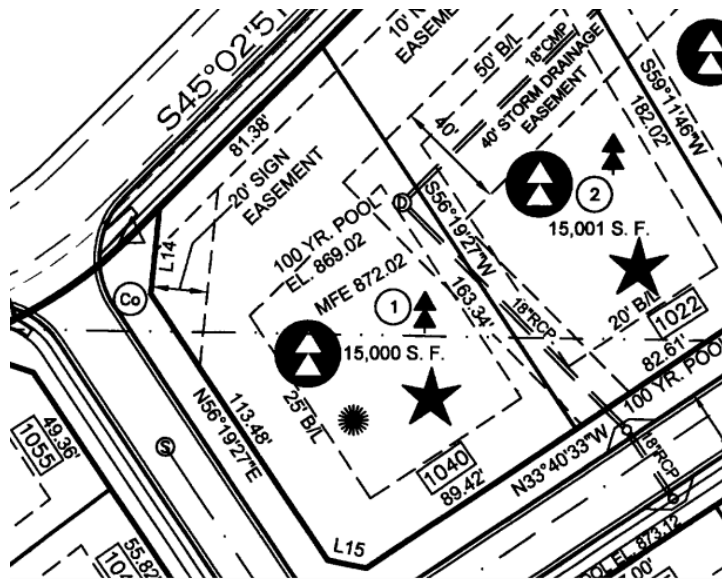
# I. Purpose of Request

The applicant is requesting for the placement of the 866 square foot swimming pool to be closer to the property line than 100 feet. The subject property is located in the Highland Estate Subdivision that was approved by the Cobb County Board of Commissioners in November 2005.

## Proposed Site Plan



## Final Plat



## **II. Code Requirements**

Per Code Sec 7.15 Accessory Building, Structures, Uses and Decks (1) size and setback limitations; any structure over 650 total gross square feet must be at least 100 feet from the property line.

Per Section 10.32 Board of Zoning Appeals (d)(3) ; Variances may only be granted upon meeting specific hardship criteria and where impacts can be mitigated. Please see the staff analysis in the following paragraph.

## **III. Staff Analysis**

### **i) Extraordinary and exceptional conditions pertaining to the particular piece of property due to size, shape, or topography:**

The subject property contains approximately 15,000 square feet and is uniquely constrained by three public road frontages, which significantly reduce the available buildable area for accessory improvements. In addition, a 20-foot drainage easement extends along the eastern portion of the property running north–south and transitions into a 40-foot easement that extends eastward. These combined conditions limit the placement options for any accessory structure and create exceptional site constraints not typically found on standard residential lots.

### **ii) Application of this chapter to this property would create an unnecessary hardship:**

Strict application of the accessory structure standard would prevent the property owner from constructing or maintaining an accessory building over 650 square feet in a reasonable and functional location. Given the lot’s limited depth between multiple street frontages and the presence of extensive drainage easements, compliance with the 100-foot setback would effectively preclude any feasible placement. As a result, the regulation would impose an unnecessary hardship not shared by most surrounding properties

### **iii) Such conditions are peculiar to the property involved:**

The combination of triple road frontage and substantial drainage easements is a condition peculiar to this particular lot. Most residential parcels in the vicinity are more regularly shaped with a single frontage and fewer physical restrictions. These unique site features reduce the buildable envelope and justify consideration of relief from the standard accessory structure setback.

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

Granting the requested variance is unlikely to cause substantial detriment to adjacent properties or the public good, provided the accessory structure is designed to complement the principal dwelling and meets all other dimensional and design standards. The requested relief would allow reasonable use of the property while maintaining compliance with the spirit and intent of the

ordinance, which seeks to ensure orderly placement of accessory buildings without encroaching upon neighboring lots or easements.

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

The requested variance does not involve a prohibited use and does not conflict with any existing zoning conditions or stipulations. The proposed accessory structure remains a permitted residential use within the zoning district.

---

**Staff Recommendation.**

Based on the analysis, staff recommends Approval of the variance request with the following stipulations;

1. The accessory structure shall comply with all other applicable zoning and building requirements.
2. The structure shall not encroach into any recorded drainage or utility easement.
3. Final placement and design shall be reviewed and approved by staff prior to issuance of a building permit to ensure consistency with the approved variance.

VAR-25-08

ATTACHMENT A

PAID  
AUG 11 2025

# Application for Variance Mableton, Georgia

(type or print clearly)

Application No. VAR 25-008  
Hearing Date: 9/11/25

Applicant THE MANOR PREP SCHOOL Phone # 770 365 8196 E-mail Manorcrest25@gmail.com

Ohwore Tony Imoukhuede Address \_\_\_\_\_  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 770 365 8196 E-mail imoukhuede94@gmail.com  
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_  
Notary Public

Titleholder ISHERE CORPORATION Phone # 770.365.8196 E-mail imoukhuede94@gmail.com

Signature [Signature] Address: 130 VETERANS MEMORIAL HWY SE  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: 8/26/2028  
[Signature]



Present Zoning of Property LRO

Location 130 VETERANS MEMORIAL HIGHWAY SE MABLETON GA  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 44 District 18th Size of Tract 1.70 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? 24,090

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 hardship is not self-imposed and arises from conditions unique to the property and its intended educational use, which is a benefit to the surrounding community. Our ability to meet the educational and operational needs of our students/staff would be significantly compromised. The variance will not alter the essential character of the neighborhood nor will it be detrimental to public welfare or inconsistent with the intent of the zoning ordinance.*

List type of variance requested: SITE / ZONING VARIANCE

I humbly request variance for the following:  
\_\_\_\_\_  
\_\_\_\_\_

ATTACHMENT C1

PROPERTY/FINANCIAL DISCLOSURE REPORT<sup>1</sup> BY APPLICANT<sup>2</sup>

(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<sup>TH</sup> day of AUGUST, 2025

\_\_\_\_\_



Applicant's Signature

<sup>1</sup>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.

<sup>2</sup>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 REPORT<sup>1</sup> BY APPLICANT<sup>2</sup>

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

Has the applicant<sup>2</sup> 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:

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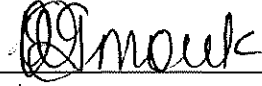
The dollar amount of each campaign contribution made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application and the date of each such contribution:

---

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<sup>TH</sup> day of AUGUST, 2025.



Applicant's Signature

<sup>1</sup>If the answer to any question is "Yes," then the member of the Mayor and 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.

<sup>2</sup>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

(M)

After Recording Return To:  
The Zdrlich Law Group, LLC  
3575 Koger Blvd.  
Suite 125  
Duluth, GA 30096  
File No.: 2019-03-06054

Deed Book 15614 Pg 2952  
Filed and Recorded Mar-25-2019 07:35am  
2019-0030575  
Real Estate Transfer Tax \$270.00  
0332019005567

*Rebecca Keaton*  
Rebecca Keaton  
Clerk of Superior Court Cobb Cty. Ga.

STATE OF GEORGIA  
COUNTY OF GWINNETT

**LIMITED WARRANTY DEED**

THIS INDENTURE, made as of the 15th day of March, 2019 between  
**HWA YONG MCBRIDE NKA HWA YONG LEE**

as party or parties of the first part, hereinafter called Grantor, and  
**ISHERE, CORPORATION, A GEORGIA CORPORATION**

as party 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 other good and valuable considerations and the sum of Ten and no/100 (\$10.00) Dollars in hand paid at and before the sealing and delivery of these presents, the receipt 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, the following described property:

All that tract or parcel of land lying and being in Land Lot 44 of the 18th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at an intersection of the Southern right of way line of U.S. Highway 78 aka Bankhead Highway (having a 80 foot right of way) with the Eastern right of way line of Cooks Road (having a 40 foot right of way), said point being the true point of beginning; thence run along the Southern right of way line of U.S. Hwy. 78 aka Bankhead Highway North 81 degrees 16 minutes 36 seconds East a distance of 319.62 feet to a point; thence turning and running South 07 degrees 38 minutes 57 seconds West a distance of 253.83 feet to an iron pin set; thence turning and running South 88 degrees 50 minutes 29 seconds West a distance of 315.43 feet to a point of Eastern right of way line of Cooks Road; thence turning and running along said right of way line North 03 degrees 15 minutes 38 seconds East a distance of 179.43 feet to a point; thence turning and running North 37 degrees 20 minutes 40 seconds East a distance of 37.91 feet to a point and the point of beginning. All as more clearly shown on that certain survey prepared by G.W. Crusselle, Sr., dated July 10, 1992.

Subject Property Address: 130 Veterans Memorial Hwy, Mableton, GA 30126

PARCEL NO.: 18-0044-0-008-0

Subject to any Easements and Restrictions of Record.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 above described property unto the said Grantee against the claims of all persons owing, holding or claiming by through or under the said Grantor.

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

Signed, sealed and delivered  
In the presence of:

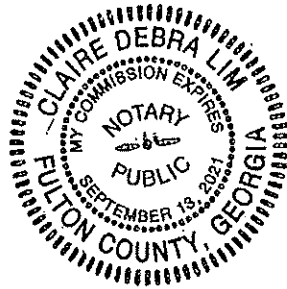
GRANTOR:

Unofficial Witness

Hwa Yong McBride nka Hwa Yong Lee

Notary Public  
My commission expires:

(sea)





Printed: 8/6/2025

### 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:  
 OBURIEN INC WEST COBB PREP ACADEMY

**ISHERE CORPORATION**

**Payment Date: 11/15/2024**

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2024	18004400080	10/15/2024	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$37.79	\$187.80	\$0.00	\$0.00	\$3,981.68	\$0.00



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

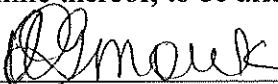
**ISHERE CORPORATION**  
5205 Timber Ridge Road  
Marietta GA 30068

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**AUTHENTICATION OF CORPORATE RECORDS**

I, Oluwole Imoukhuede, the undersigned, being the duly appointed and acting Chief Executive Officer of Ishere Corporation, a corporation organized and existing under the laws of the State of Georgia, do hereby certify and authenticate the following corporate record/document as a true and accurate representation of the records of Ishere Corporation.

In witness whereof, I have hereunto set my hand and caused the seal of the Corporation, or a facsimile thereof, to be affixed this 6th day of August 2025.

  
\_\_\_\_\_  
Oluwole Tony Imoukhuede  
Chief Executive Officer  
Ishere Corporation




---

**ATTESTATION**

I, Bose Imoukhuede, the duly appointed and acting Secretary of Ishere Corporation, to whom the Bylaws have delegated responsibility for authenticating records of the Corporation, do hereby attest:

- A. That the corporate seal or facsimile thereof affixed to the document is in fact the seal of the corporation of true facsimile thereof, as the case may be.
- B. That the officer of the corporation executing this document does in fact occupy the official position indicated, that he is duly authorized to execute this document on behalf of the corporation, and that the signature subscribed thereto is genuine; and
- C. That the execution of this document on behalf of the corporation has being duly authorized

Executed on this 6th day of August 2025.

  
\_\_\_\_\_  
Bose Imoukhuede  
Vice President  
Ishere Corporation



City of Mableton  
Community Development | Planning and Zoning Division  
6116 Mableton Parkway, Suite 144  
Mableton, GA 30126  
(470) 417-4220  
www.mableton.gov

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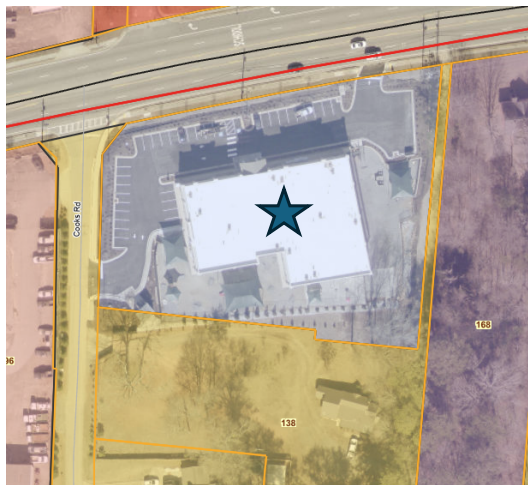
## BOARD OF ZONING APPEAL STAFF REPORT

### GENERAL INFORMATION

**CASE NUMBER:** VAR2025-008  
**APPLICANT:** Oluwole Tony Imokhugde  
**REQUEST:** To allow encroachment into the 20' landscape buffer for 16 and 10 foot retaining wall, dumpster pad and playground.  
**PROPERTY LOCATION:** 130 Veterans Memorial Hwy, Mableton, Georgia  
**PARCEL ID:** 18004400080  
**ACREAGE:** 1.70  
**HEARING DATE:** November 13, 2025  
**DISTRICT:** 3

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### ZONING MAP

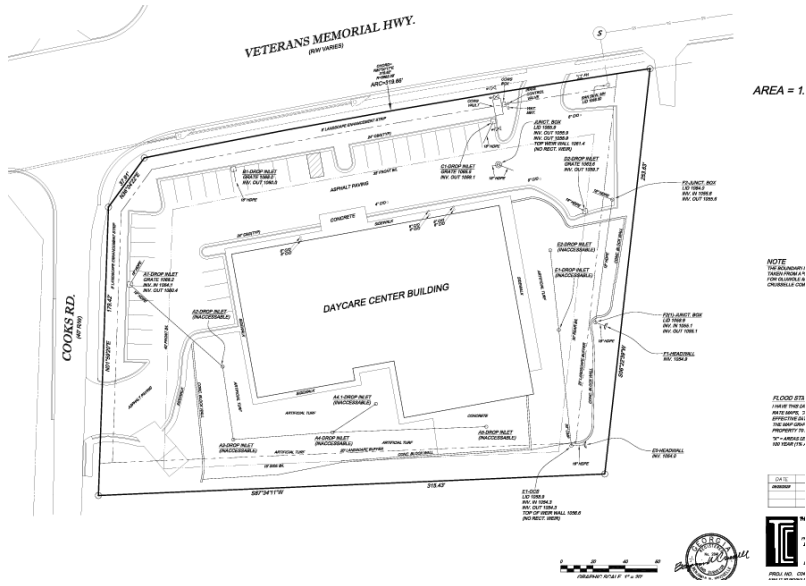


Star = Subject Property

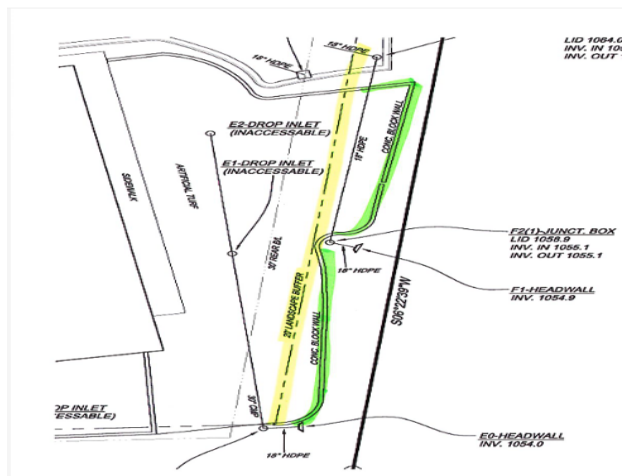


**Modified Site Plan**

**Commented [TG2]:** Is this the current as-built, or is this the approved LDP site plan?

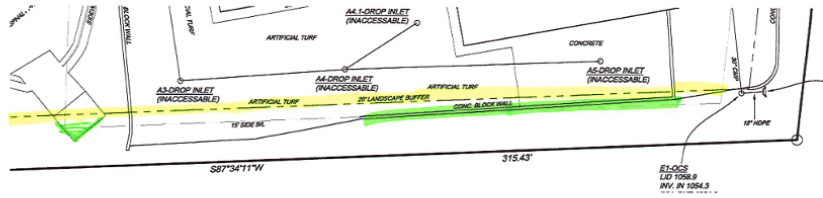


**Zoom View of Encroachment into Eastern Buffer.**



**Yellow Line = 20' Landscape buffer**  
**Green = Encroachment into the buffer**

Zoomed View of Encroachment into Southern Buffer



Yellow Line = 20' Landscape buffer  
Green = Encroachment into the buffer

Commented [TG3]: Do you have pictures? I believe the playground is in the buffer.



Aerial Photo Direction from Southwest to Northeast



*Aerial Photo from West to East*



*Lower View from West to West*



*Lower View from West to East*

## **II. Code Requirements**

Per Code Sec 3.21 NRC (Neighborhood Commercial Retail) Any property within this district which abuts a residentially zoned property shall have a minimum 20-foot landscaped screening buffer adjacent to all residentially zoned property. Additionally, necessary private utilities and access drives may be allowed through, over or across a landscape buffer, however dumpster and retaining wall are not permitted without a variance.

Per Section 10.32 Board of Zoning Appeals (d)(3) ; Variances may only be granted upon meeting specific hardship criteria and where impacts can be mitigated. Please see the staff analysis in the following paragraph.

## **III. Staff Analysis**

### **i) Extraordinary and exceptional conditions pertaining to the particular piece of property due to size, shape, or topography:**

The subject property does not exhibit unique physical conditions such as irregular shape, topography, or utility constraints that would necessitate encroachment into the required buffer. Instead, the encroachments stem from modifications to the site plan made by the applicant without prior approval. These circumstances are not unique and are the result of applicant actions rather than inherent site conditions.

**ii) Application of this chapter to this property would create an unnecessary hardship:**

Strict application of the zoning ordinance would require removal or relocation of the retaining walls and dumpster pad to comply with the 20-foot landscape buffer requirement. While this would impose a financial burden on the applicant, staff finds that the hardship is self-created. The applicant constructed these improvements without city approval and in conflict with the previously approved site plan. Therefore, any hardship arises from the applicant’s actions rather than from conditions inherent to the property.

**iii) Such conditions are peculiar to the property involved:**

The circumstances leading to this variance request are not peculiar to the subject property. The lot does not present unusual physical characteristics such as irregular shape, severe topography, or natural constraints that would prevent compliance with the buffer requirement. Instead, the variance request arises from the applicant’s decision to modify the approved site plan and construct retaining walls and a dumpster pad within the buffer without city approval. These conditions are the result of applicant actions and are not unique or inherent to the property itself.

**Commented [TG4]:** If he provided any valid data regarding topography, you can add that here. The applicant states that -----

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

20-foot landscape buffer to provide screening, protect adjacent properties, and maintain community character. Allowing 10- and 16-foot retaining walls, along with a dumpster pad/playground, within the buffer compromises its function and sets a concerning precedent for disregarding approved site plan. While additional landscaping or screening could partially mitigate visual impacts, the variance would still weaken the purpose of the buffer standard and could be detrimental to the public good by allowing the playground and dumpster, which may cause additional noise and undermine consistency and predictability in development review.

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

The requested variance does not involve the establishment of a prohibited use. However, the improvements constructed within the required landscape buffer are in direct conflict with the approved site plan and applicable conditions of zoning. Granting the variance would effectively override those stipulations and allow an encroachment that the ordinance and prior approvals were intended to prevent. As such, approval would create inconsistency with the regulatory framework designed to ensure compliance with zoning and development standards.

---

**Staff Recommendation.**

Based on the analysis, staff recommends Denial of the variance request. The hardship is self-created, and the encroachments significantly impact the intent of the required buffer.

If the Board chooses to approve the variance, staff recommends the following stipulations to mitigate impacts:

If approved please approved with the following conditions:

1. Applicant shall submit a revised site plan accurately reflecting the location and dimensions of the retaining walls and dumpster pad.
2. Applicant shall install enhanced landscaping within any remaining buffer area and along the exposed faces of the retaining walls, subject to staff approval, to mitigate visual impacts.
3. Applicant shall provide screening (masonry wall or opaque fence) around the dumpster pad, consistent with city standards.
4. The applicant shall comply with all other code requirements related to the land disturbance process.
5. Buffer encroachment on the east and southern landscape buffer side shall be limited to retaining wall only, no playground equipment or play area shall be located in this area. Any future modifications to the site plan shall require prior approval from the city.
6. Hours of the dumpster shall be limited to 7 am – 7 pm.

**Commented [TG5]:** Add stipulation - the applicant shall comply with all other code requirement relating to the land disturbance process.

**Commented [TG6]:** Hours for dumpster use shall be limited to -----

**Commented [TG7]:** Buffer encroachment on the --- side shall be limited to retaining wall only, no playground equipment or play area shall be located in this area.