

**APPLICATION FOR REZONING
TO THE CITY OF SMYRNA**

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: JD DAVIS LLC

Name: JOEL DAVIS, PE
(Representative's name, printed)

Address: 2855 Ridge Valley Rd NE

Business Phone: 404-874-8585 Cell Phone: 404-273-9001 Fax Number: N/A

E-Mail Address: JOEL@RAD Services.com

Signature of Representative: Joel Davis

TITLEHOLDER

Name: HOMER ALLEN HUTCHESON
(Titleholder's name, printed)

Address: 853 PINE VALLEY DR

Business Phone: _____ Cell Phone: 912-327-8052 Home Phone: _____

E-mail Address: ALLEN HUTCHESON 37@GMAIL.COM

Signature of Titleholder: Homer Allen Hutcheson
(Attach additional signatures, if needed)

(To be completed by City)

Received: _____

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: _____

Approved/Denied: _____

ZONING REQUEST

From R-15 Single Family Residential to GC - General Commercial
Present Zoning Proposed Zoning

LAND USE

From GC (Formally Smyrna Marine) to GC (Engineering Office)
Present Land Use Proposed Land Use

For the Purpose of updating the zoning to the current land use.

Size of Tract 0.59 Acres

Location 740 Concord Road SE
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 381 and 412 District 17th District

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are no X there are such assets. If any, they are as follows:

N/A

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: GC _____

East: GC _____

South: LI _____

West: R-15 (Nonconforming, Timbers Bar) _____

CONTIGUOUS LAND USE

North: CAC, Community Activity Center _____

East: CAC _____

South: CAC _____

West: CAC _____

INFRASTRUCTURE

WATER AND SEWER

A letter from Frank Martin, Director of Public Works Department is required stating that water is available and the supply is adequate for this project.

A letter from Frank Martin, Director of Public Works Department is required stating that sewer is available and the capacity is adequate for this project.

- If it is Cobb County Water, Cobb County must then furnish these letters.

Comments:

Water & sewer is currently available. The proposed use
would not increase the usage or demand on these utilities.

The sewer is tied into a manhole on the "Timbers" property. It
flows into the city sewer system on Smyrna Hills Drive.

TRANSPORTATION

Access to Property? Yes, from Concord Road.

Improvements proposed by developer? All improvements to be inside the
existing footprint of the building.

Comments:

N/A

ZONING DISCLOSURE REPORT

Has the applicant* made, within two years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to the Mayor or any member of the City Council or Planning and Zoning Board who will consider this application?

No.

If so, the applicant* and the attorney representing the applicant* must file a disclosure report with the Mayor and City Council of the City of Smyrna, within 10 days after this application is filed.

Please supply the following information, which will be considered as the required disclosure:

The name of the Mayor or member of the City Council or Planning and Zoning Board to whom the campaign contribution or gift was made:

N/A

The dollar amount of each campaign contribution made by the applicant* to the Mayor or any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application, and the date of each such contribution:

N/A

An enumeration and description of each gift having a value of \$250 or more by the applicant* to the Mayor and any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application:

No

Does the Mayor or any member of the City Council or Planning and Zoning Board 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: _____

N/A

ZONING DISCLOSURE REPORT (CONTINUED)

Does the Mayor or any member of the City Council or Planning and Zoning Board have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 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:

N/A

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

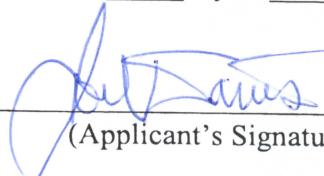
No

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

N/A

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

We certify that the foregoing information is true and correct, this 6 day of December, 2019.



(Applicant's Signature)

(Attorney's Signature, if applicable)

Notes

* Applicant is defined as any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association or trust) applying for rezoning action.

** Copy to be filed with the City of Smyrna Zoning Department and City Clerk along with a copy of the zoning application including a copy of the legal description of the property.

REZONING ANALYSIS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. Please provide responses to the following using additional pages as necessary. **This section must be filled out by the applicant prior to submittal of the rezoning request.**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

All of the adjacent properties are zoned General Commercial (GC) or Light Industrial (LI). This property's use has been GC for the last 20+ years (Smyrna Marine). This rezoning is to update the property to the current land use (CAC).

2. Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.

There should be no affect on on the adjacent or nearby properties.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The current zoning of R-15 may be undesirable in an area surrounded by GC & LI.

REZONING ANALYSIS (CONTINUED)

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

There should not be any additional impact to existing streets,
transportation facilities, utilities, or schools.

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

The current zoning of R-15 does not conform to the current
Community Activity Center (CAC) land use.

Rezoning from R-15 to GC will allow this property to conform
with the current CAC land use.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

There are no existing or changing conditions that will
affect the zoning proposal.

REZONING ANALYSIS (CONTINUED)

7. Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.

This rezoning proposal will enhance the general neighborhood by bringing a nonconforming use into the correct zoning.

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

The proposed use as an Engineering/Technical Services office will not create a nuisance or incompatible use in the area.

9. Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.

The proposed use as an Engineering/Technical Services office would enhance the general neighborhood by remodeling and

updating the existing building and adding employment opportunities for the community.
