

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 5

Application No: 719-017

Hearing Date: _____

APPLICANT: Trustor South, Inc

Name: Tobiaz Johansson
(Representative's name, printed)

Address: 736 Windy Hill Rd SE

Business Phone: 720-252-7747 Cell Phone: 720-252-7747 Fax Number: _____

E-Mail Address: tobiaz@bvbcgroup.com

Signature of Representative: _____


TITLEHOLDER

Name: Trustor South, Inc (Trustor's owner is:Tobiaz Johansson)
(Titleholder's name, printed)

Address: 736 Windy Hill Rd SE

Business Phone: 720-252-7747 Cell Phone: 720-252-7747 Home Phone: _____

E-mail Address: tobiaz@bvbcgroup.com

Signature of Titleholder: _____
(Attach additional signatures, if needed)

(To be completed by City)

Received: 11/4/19

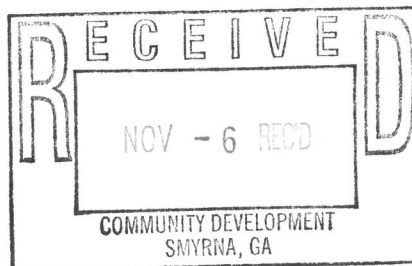
Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: _____

Approved/Denied: _____



ZONING REQUEST

From FC to LC
Present Zoning Proposed Zoning

LAND USE

From CAC to CAC
Present Land Use Proposed Land Use

For the Purpose of being required to apply for rezoning by the City of Smyrna

Size of Tract 0.23 acres

Location 736 Windy Hill Rd SE Smyrna, GA 30080
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 375 District 17

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:

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: PP _____

East: LDR _____

South: CAC _____

West: CAC _____

CONTIGUOUS LAND USE

North: PP _____

East: LDR _____

South: CAC _____

West: CAC _____

INFRASTRUCTURE

WATER AND SEWER

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

A letter from Scott Stokes, 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:

TRANSPORTATION

Access to Property? Entrance and exit is the same. You can enter the property from both
making a right and left turn on Windy Hill Rd

Improvements proposed by developer? No.

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:

N/A

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 natural 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?
N/A

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 _____ day of _____, 20__.

(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.

There will be no changes to the property's exterior and/or interior. The property will be used by a Chiropractor and as office.

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

No, not at all.

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

It is already zoned as commercial and the rezoning being applied for is due to being required by the City of Smyrna. This rezoning application will not in any way impact any other businesses or personal properties in Smyrna.

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.

No, definitely not. The property is approximately 1,000 sqf and will be used by a licensed chiropractor for seeing patients as well as for office purposes.

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

No changes from current zoning to the new zoning.

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.

No.

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.

No.

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

No.

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.

No.
