

# APPLICATION FOR ZONING AMENDMENT TO THE CITY OF SMYRNA

Please Type or Print Clearly

(To be completed by City)

Ward: 3

Application No: Z16-006

Hearing Date: 6/20/16

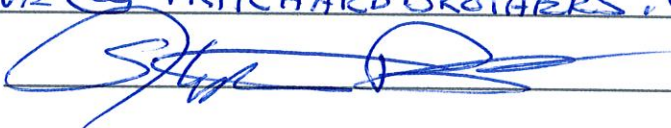
**APPLICANT:** \_\_\_\_\_

Name: STEPHEN PRITCHARD PRITCHARD BUILDERS INC  
(Representative's name, printed)

Address: PO Box 1315 KENNESAW GA

Business Phone: 678-300-0219 Cell Phone: 678-300-0219 Fax Number: —

E-Mail Address: STEVE @ PRITCHARD BROTHERS . COM

Signature of Representative: 

**TITLEHOLDER:**

Name: FRANK PRITCHARD  
(Titleholder's name, printed)

Address: 3165 GREENFIELD DR MARIETTA GA 30068

Business Phone: \_\_\_\_\_ Cell Phone: 4-597-9120 Home Phone: \_\_\_\_\_

E-mail Address: FRANK @ PRITCHARD BROTHERS . COM

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

(To be completed by City)

Received: 5/13/16

Heard by P&Z Board: N/A

P&Z Recommendation: N/A

Advertised: 6/3/16

Posted: 5/20/16

Approved/Denied: \_\_\_\_\_

**ZONING:**

RAD CONDITIONAL

Present Zoning

**LAND USE:**

SINGLE FAMILY RES.

Present Land Use

For the Purpose of CONSTRUCTION OF TWO SINGLE FAMILY

Size of Tract 22,921 SF

Location 1068 BANK ST

(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 488 District 17

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DESCRIPTION OF PROPOSED ZONING AMENDMENT:**

AMEND ZONING STIPS TO  
ALLOW FOR DEDICATED FRONT ENTRY  
DRIVEWAY FOR EACH HOME  
CURRENT STIPS CALL FOR SHARED  
DRIVEWAY

\_\_\_\_\_  
\_\_\_\_\_

**CONTIGUOUS ZONING**

North: RAD

East: RAD

South: RAD

West: RAD R15

**CONTIGUOUS LAND USE**

North: SINGLE FAMILY RAD CONDITIONAL

East: SINGLE FAMILY RAD "

South: " RAD "

West: " R15



## 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:

BECAUSE THIS PROJECT HAS ALREADY  
BEEN APPROVED, ALL DOCUMENTS ABOVE  
HAVE BEEN SATISFIED

### **TRANSPORTATION**

Access to Property? DRIVWAY OFF BANK STREET

Improvements proposed by developer? FRONT ENTRY  
DEDICATED DRIVEWAY INSTEAD OF  
SHARED DRIVE

Comments:

## **ZONING DISCLOSURE REPORT**

Has the applicant\* made, within two years immediately preceding the filing of this application for zoning amendment, 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 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 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 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 during the two years immediately preceding the filing of this application:

N/A

Does the Mayor or any member of the City Council 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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**ZONING DISCLOSURE REPORT (CONTINUED)**

Does the Mayor or any member of the City Council 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 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 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 10<sup>TH</sup> day of MAY 2016, 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 zoning 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.

## ZONING AMENDMENT ANALYSIS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Mayor and Council when considering a zoning amendment 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 zoning amendment 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.

YES, THIS REQUEST CONFORMS TO  
ADJACENT PROPERTIES. EVERY HOME ON  
BANK STREET TO MY KNOWLEDGE, HAVE  
DEDICATED DRIVES

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

THESE UNITS WILL BE SINGLE  
FAMILY HOMES JUST LIKE ALL  
ADJOINING PROPERTIES ON THIS STREET  
SEVERAL HOMES ON BANK STREET  
AND SURROUNDING AREAS HAVE FRONT  
ENTRY DRIVES AND HAVE NO ADVERSE EFFECTS

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

THE ZONING PROPOSAL MEETS A GROWING  
DEMAND FOR HOUSING IN THE SMYRNA  
AREA



**ZONING AMENDMENT 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.

THIS PROJECT IS ALREADY APPROVED  
AND IT HAS BEEN DETERMINED THAT  
UTILITIES, AS WELL AS ACCESS TO  
STREETS ARE ADEQUATE AND PROVIDE  
NO EXCESSIVE BURDEN

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

YES, THE ZONING WAS SUPPORTED  
BY STAFF UPON ITS APPROVAL AND  
CONFORMS TO LAND USE PLAN

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.

THE ZONING REQUEST IS FOR DEDICATED  
DRIVES FOR EACH UNIT. THE ORIGINAL  
APPROVAL WAS BASED ON COMMON DRIVE FOR  
TWO HOMES. THE COMMON DRIVE WAS THE  
BIGGEST OBJECTION OF NEIGHBORS AS  
WELL AS COUNCILMEN



**ZONING AMENDMENT 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.

THE BEST USE OF THIS PROPERTY IS  
FOR SINGLE FAMILY HOMES. THESE HOME  
WILL ADD TO THE AESTHETICS OF  
BANK STREET, BLEND WITH THE ARCHITECTURAL  
FEATURES OF THE NEW CONSTRUCTION  
ALONG BANK ST AND SURROUNDING AREAS

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

JUST AS ALL UNITS AROUND THIS  
DEVELOPMENT ARE SINGLE FAMILY HOMES  
THESE UNITS WILL ALSO BE SINGLE FAMILY  
HOMES AND COMPATIBLE WITH EACH OTHER

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 HOMES TO BE BUILT ON  
THIS PROPERTY SHOULD BE COMPARABLE  
IN SIZE AND SQUARE FOOTAGE AS  
WELL AS HEIGHT

Please return to Perrie & Associates, LLC - Post Closing  
2655 Dallas Highway SW, Ste. 450  
Marietta, GA 30064  
File # 080089C

RECORD

15

Deed Book 14582 Pg 6464  
Filed and Recorded Feb-23-2008 10:19am  
2008-0023517  
Real Estate Transfer Tax \$198.50

J.C. Stephenson

Jay C. Stephenson  
Clerk of Superior Court Cobb Cty. Ga.

STATE OF GEORGIA  
COUNTY OF COBB

**WARRANTY DEED**

THIS INDENTURE made this 15th day of February, 2008, between

**JOHN CALVIN JOHNSON IV,**

as party or parties of the first part, hereinafter called Grantor, and

**FRANK PRITCHARD,**

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 other good and valuable consideration (\$10.00) 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:

**LEGAL DESCRIPTION**

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 488 OF THE 17TH DISTRICT, 2ND SECTION IN LAND LOT 488 OF THE 17TH DISTRICT, 2ND SECTION COBB COUNTY, GEORGIA, BEING LOTS 26 AND 27 OF SECTION D OF THE B.A. GUTHRIE SUBDIVISION PER PLAT OF SURVEY AS SHOWN IN PLAT BOOK 4, PAGE 13, COBB COUNTY, GEORGIA RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT AND CORNER ON THE SOUTHERLY SIDE OF BANK STREET, A DISTANCE OF 120 FEET EASTERY AS MEASURED ALONG THE SOUTHERLY SIDE OF BANK STREET FROM ITS INTERSECTION WITH THE WEST LINE OF LAND LOT 488; THENCE SOUTHERLY 229.4 FEET TO A POINT AND CORNER; THENCE EASTERY 100 FEET TO A POINT AND CORNER THENCE NORTHERLY 230.0 FEET TO A POINT SITUATED ON THE SOUTHERLY SIDE OF BANK STREET; THENCE WESTERLY ALONG THE SOUTHERLY SIDE OF BANK STREET 100 FEET TO THE POINT OF BEGINNING.**

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 whomsoever.

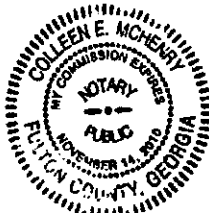
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:

  
Witness

 (Seal)  
JOHN CALVIN JOHNSON IV

Notary Public  
My commission expires  
[Attach Notary Seal]





04/08/2015 11:03  
mhickenbottom

City of Smyrna  
REAL ESTATE PAID TAX STATEMENT

P 1  
txtaxstm

PARCEL: 17-0488-0-0360

LOCATION: 1068 BANK ST

CURRENT OWNER:  
PRITCHARD FRANK L  
3165 GREENFIELD DR  
MARIETTA GA 30068

CURRENT STATUS:  
SQ FT: 0  
LAND VALUATION: 60,000  
BUILDING VALUATION: 50,650  
EXEMPTIONS: 0  
TAXABLE VALUATION : 110,650

DEED DATE:

BOOK/PAGE:

| YEAR | TYPE         | DUE DATE   | PRIN DUE | INT/PEN | DATE       | TYPE | AMOUNT |
|------|--------------|------------|----------|---------|------------|------|--------|
| 2014 | RE-R 1       | 11/17/2014 | 397.90   | .00     | 09/17/2014 | PD   | 397.90 |
|      | BILL #       | 12676      | 397.90   | .00     |            |      | 397.90 |
|      | GRAND TOTALS |            | 397.90   | .00     |            |      | 397.90 |

*ALL Taxes paid in*

*FULL 4-8-15*

*Mike Kukulitz*





**CARLA JACKSON** TAX COMMISSIONER  
**CHELLY MCDUFFIE** CHIEF DEPUTY  
 Phone: 770-528-8600  
 Fax: 770-528-8679

Printed: 3/22/2015 4:08:11 PM

## Cobb County Online Tax Receipt

Thank you for your payment!

Payer:  
**FRANK PRITCHARD**

**PRITCHARD FRANK L**

**Payment Date: 9/16/2014**

| Tax Year | Parcel ID   | Due Date   | Pay:       | Appeal Amount | Taxes Due |
|----------|-------------|------------|------------|---------------|-----------|
| 2014     | 17048800360 | 10/15/2014 | N/A        | or            | 1179.53   |
| Interest | Penalty     | Fees       | Total Due  | Amount Paid   | Balance   |
| \$0.00   | \$0.00      | \$0.00     | \$1,179.53 | \$1,179.53    | \$0.00    |



# 1068 Banks Street

City of Smyrna, Georgia Land Lot 488, 17th District, 2nd Section

property owner:

Frank Pritchard  
Pritchard Brothers, Inc.  
3165 Greenfield Drive  
Marietta, Georgia 30068  
404-897-4120

DGM

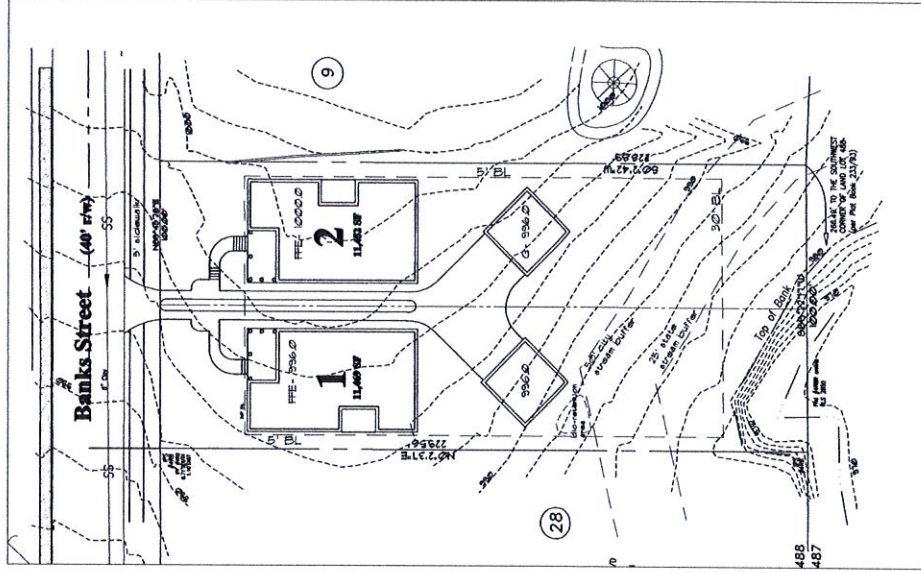
LAND PLANNING  
CONSULTANTS

9765 Camp Road  
Suite 200  
Kennesaw, Georgia 30144  
770-514-9000  
770-514-9001  
Fax 514-9001



Scale: 1" = 20'  
April 2, 2015

SITE PLAN AS  
APPROVED WITH SHARED  
DRIVEWAY



## Site Data

Total Site Area: .53 AC

Present Zoning: R-15

Proposed Zoning: RAD-Conditional

Proposed Lot Sizes Shown:

1) 11,469 SF

2) 11,452 SF

Proposed Building Setbacks:

front: 30'

rear: 30'

side: 5' (min. 10' between structures)

### General Notes:

1. Surveyed and topographic information by CFC Surveyors, dated June 30, 2007.
2. According to Flood Insurance Rate Map (FIRM) 15001-0201A, the site is in Flood Zone X-1 (moderate flood hazard).
3. No wetlands are shown to exist on site.
4. No wetlands are shown to exist on site.
5. No wetlands are shown to exist on site.
6. No archaeological or architectural landmarks are known to exist.
7. No utility easements are known to exist on site.
8. Stormwater and water quality to be managed on a lot by lot.

Drawn based on hydrographic study.



## **1068 Banks Street – Legal Description**

### **Property Line Description**

All that tract or parcel of land lying and being in Land Lot 488 of the 17th District, 2<sup>nd</sup> Section, city of Smyrna, Georgia, and being more particularly described as follows:

Beginning at the intersection southwest corner of land lot 488, thence easterly along the land lot line common to land lots 487 and 488 a distance of 266.49 feet to a point. Said point being the POINT OF BEGINNING;

thence south 89 degrees 22 minutes 17 seconds west, a distance of 100.0 feet; thence north 0 degrees 2 minutes 37 seconds east, a distance of 229.56 feet; thence north 89 degrees 45 minutes 28 seconds east, a distance of 100.0 feet; thence south 0 degrees 2 minutes 42 seconds west, a distance of 228.89 feet to a point.

said point being the POINT OF BEGINNING  
Said tract or parcel of land contains .53 acres.

This Legal Description was prepared by DGM Land Planning Consultants, Inc. and is intended for zoning purposes only. It is not to be used for purposes of purchasing, selling, or transferring title on any property.  
Dated: April 2, 2015









[illegible]

2

GRAPHIC SCALE  
( IN FEET )  
1 inch = 50 ft.

SHEET 3 OF 10

PRITCHARD BUILDERS, INC.

[illegible]

FRONTLINE  
UNIVERSITY, INC.  
Suite 116,  
Marlette, 6,  
MI. (678)  
Fax (678)  
www.frontlineuniversity.com

[illegible]

**PRITCHARD BUILDERS, INC.**

1068 BANK STREET, SE  
AND LOT 406, 17th DISTRICT  
2nd SECTION  
COBB COUNTY, GEORGIA  
CITY OF SMYRNA  
EXISTING ZONING: B-16  
EXISTING PIN: 170-08000360

NOTE: DEMOLITION PERMIT NOT ISSUED UNTIL TREE POSTING IS APPROVED

REQUIRED SITE DENSITY: 0.52 ACRES X 100' PER ACRE = 52' SITE DENSITY FACTOR

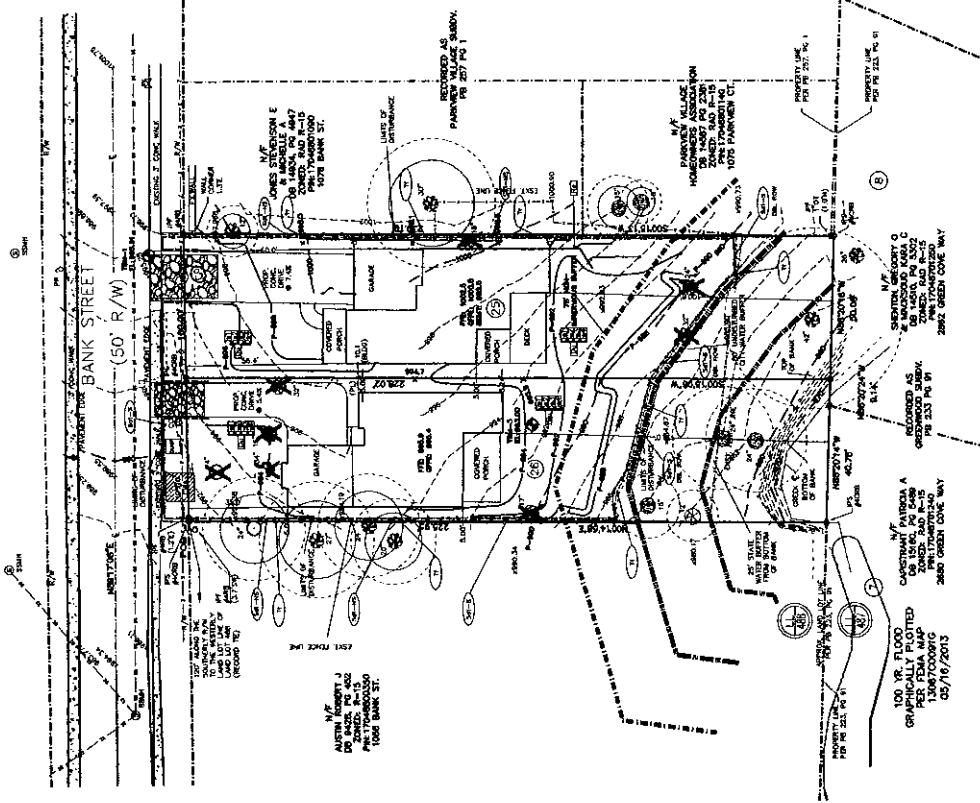
**TREES SAVED:**  
1-12" SWEETGUM  
1-15" POPLAR  
2-24" POPLAR  
1-42" OAK

| CALCULATION OF EXISTING<br>DENSITY FACTOR |       |        |
|-------------------------------------------|-------|--------|
| DBH                                       | TREES | INCHES |
| 12 inch                                   | 1     | 12     |
| 15 inch                                   | 1     | 15     |
| 24 inch                                   | 2     | 48     |
| 42 inch                                   | 1     | 42     |
| TOTAL                                     | 5     | 149    |

TOTAL EDF = 117 &gt; 52 REQUIRED

**TREE NOTES:**

- 1.) ALL TREE SAVE FENCING TO BE INSTALLED PRIOR TO START OF LAND DISTURBANCE, AND MAINTAINED UNTIL FINAL LANDSCAPING (SEE PAGE 3).
- 3.) ALL TREE SAVE FENCE TO BE REPAIRED OR REPLACED AS NEEDED.
- 4.) NO PARKING, STORAGE, OR OTHER CONSTRUCTION ACTIVITIES ARE TO OCCUR WITHIN TREE PROTECTION AREAS.



100 YR. FLOOD  
GRAPHICALLY PLOTTED  
PER FEMA MAP  
1306700091G  
03/16/2013

**FIG. 3 PROPOSED SPOT ELEVATION**

### LEGEND:

- [illegible]

### THREE LEGEND

- |                  |            |
|------------------|------------|
| OAK              | HOLLY      |
| POPULAR          | JUNIPER    |
| PINE             | MAHOGANY   |
| HICKORY          | GRAPE VINE |
| MAPLE            | SPRUCE-FIR |
| SWEETGUM         | BIRCH      |
| TRUMPET-HARDWOOD | WILLOW     |
| DOGWOOD          | ELM        |

PROSION CONTROL LEGEN

- [illegible]

**FIG. 3 PROPOSED SPOT ELEVATION**