

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 3

Application No: 219-015

Hearing Date: 10/14/19

11/18/19

APPLICANT: _____

Name: Oscar and Patsy Wolf (Representative's name, printed)

Address: 8670 Haven Wood Trail, Roswell, Georgia 30076

Business Phone: 770 649 0309 Cell Phone: 404 271 0588 Fax Number: none

E Mail Address: Visalady@aol.com

Signature of Representative: _____

TITLEHOLDER

Name: Allan Khalife

(Titleholder's name, printed)

Address: 718 Robinson Farms Dr., Marietta, Georgia 30068

Business Phone: 770 332 8588 Cell Phone: 4048678588 Home Phone: none

E-mail Address: lido1956@gmail.com

Signature of Titleholder: _____

(Attach additional signatures, if needed)

(To be completed by City)

Received: 9/13/19

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: _____

Approved/Denied: _____

PAYMENT SUMMARY RECEIPT

City of Smyrna
2800 King Street

DATE: 09/13/19 CUSTOMER#:
TIME: 13:56:44
CLERK: jstaubes

RECPT#: 1731398 PREV BAL: 1000.00
TP/YR: P/2020 AMT PAID: 1000.00
BILL: 1731398 ADJSTMNT: .00
EFF DT: 09/12/19 BAL DUE: .00
PERMITS/INSP PAYMENT: 201901439

-----TOTALS-----

PRINCIPAL PAID: 1000.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00

AMT TENDERED: 1000.00
AMT APPLIED: 1000.00
CHANGE: .00

PAID BY:
PAYMENT METH: CHECK
PAYMENT REF: 109

ZONING REQUEST

From R-20 Duplex to R-10

Present Zoning Proposed Zoning

LAND USE

From: Duplex to Single Family home

For the Purpose of: Single Family homes.

Size of **Tract 199.17 ‘ by 100 feet**

Location: 1540 Whitfield St., Smyrna, Georgia 30080.

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

Land Lot (s) 593 District 17th District ,Se.2

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are no XX 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: _____

East: _____

South: _____

West: _____

CONTIGUOUS LAND USE

North: _____

East: _____

South: _____

West: _____

**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. Attached

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? Property is directly located on Whitfield Rd. No Road or access modification is required to access this property.

Improvements proposed by developer? Will build two new single-family homes in keeping with the current new development in the neighborhood. No Trees will be removed, but additional landscaping in the form of plans, grass, and shrubs will be added.

Comments:

New House next door to 1528 Whitefield Dr. Smyrna, Georgia (EXIBITE 1)



Old home located to the right of 1550 Whitfield Dr. Smyrna, Georgia (exhibit 2)



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:

None

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:

NONE (0)

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: **None (0)**

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?

None known by applicants

If so, describe the natural and extent of such interest: _____

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?

None known by applicants

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

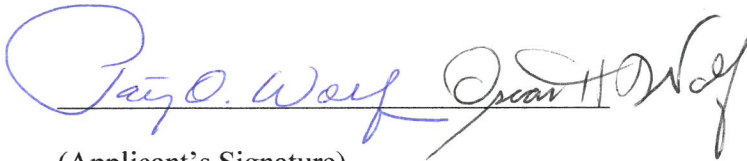
Does the Mayor or any member of the City Council or Planning and Zoning Board have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

None known by applicant

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

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 13 day of September, 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.

This new zoning will allow for the construction of two single family homes to be built in the style of the neighborhood. This neighborhood is in resurgent period, which means, the removing of older homes and replacing them with new homes. The new homes in the neighborhood are in the Craftsman style. The Homes proposed are to be also be built in the Craftsman Style therefore they will be suitable in the view of the use and development of adjacent and near by properties.

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

The properties on both side of the property at 1540 Whitfield are single family homes. The home at 1528 Whitfield (exhibit #1) is a new home in the craftsman style. The older home at 1550 Whitfield (Exhibit #2) is an older home built prior to the construction of the existing duplex in 1970s. The construction of these two new homes will increase the property value of the whole neighborhood with not impact the services, utilities or transportation of the current properties.

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

There should be no change in the currently zoned property and the economic use. The only difference in the use is that there will have two new single-family home instead of a duplex in poor condition. The only economic change to this property is the increased value it brings to the neighborhood, the increased revenue it brings in taxes to the city of Smyrna and increased property values to the neighbors.

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. **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. Additional vehicles, utilities or other burdens on existing streets, transportation, utilities, or schools will remain the same with the new zoning as the current because the duplex has two families residing it. The new homes will have the same numbers of people living in two homes as previously lived in the one structure.**

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

Applicant 's proposal is expected to conform with the policy and intent of the land use plan which is currently residential.

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 existing or changing conditions in use are expected to be impacted by this 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.

The rezoning of this property will be an enhancement to the neighborhood. The removal of the older 1970s duplex and replacement with the two single family new homes will be more in line with the current development of the neighborhood architecturally.

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

No nuisance or incompatibility will exist by replacement of the old structure with the new proposed homes.

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 of land use in area and the building height will not affect the adjoining property. The new home located at 1528 is a two-story new constructions home in the Craftsman Style as are the plans for the two single family home proposed for the rezoned requested property at 1540 Whitfield Dr. Smyrna, Ga. The old home located at 1550 although a single-story home will.

It will not be impacted by this development.