

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

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: Alexandio Properties, LLC

Name: Robert Harrison
(Representative's name, printed)

Address: 2889 Alexander Street, Smyrna, GA 30080

Business Phone: (770) 616-2728 Cell Phone: (770) 616-2728 Fax Number: _____

E-Mail Address: Robert@Flamewerx.com

Signature of Representative: 

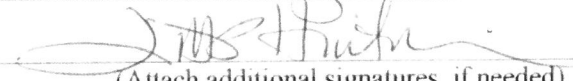
TITLEHOLDER

Name: JPH 401K Trust
(Titleholder's name, printed)

Address: 1539 Roswell Street, Smyrna, GA 30080

Business Phone: _____ Cell Phone: 404-376-5114 Home Phone: _____

E-mail Address: jill.huitras@harrynorman.com

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

(To be completed by City)

Received: _____

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: _____

Approved/Denied: _____

DS
DMATJT

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JPHTJ4T

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C W

EXHIBIT "A"

All that tract or parcel of land lying adn being in Land Lot 559, 17th District, 2nd Section, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at the point of intersection of the southerly right of way of Spring Street and the westerly right of way of Alexander Street; running thence South 01 degrees 32 minutes 00 seconds East, along the westerly right of way of Alexander Street (15 foot right of way) a distance of 303.2 feet to an iron pin; running thence in a northwesterly direction along a branch and following the meanderings thereof, a distance of approximately 100 feet, said distance having a chord of North 75 degrees 57 minutes 12 seconds West, 110.30 feet to an iron pin; running thence North 0 degrees 15 minutes 26 seconds West a distance of 279.8 feet to an iron pin located on the southerly right of way of Spring Street; running thence South 88 degrees 00 minutes 00 seconds East, along the southerly right of way of Spring Street, a distance of 100.03 feet to an iron pin located at the intersection of the southerly right of way of Spring Street and the westerly right of way of Alexander Street, said iron pin being the point of BEGINNING, being Improved property according to survey for Industrial Construction and Development Company, Inc., by Georgia Land Surveying Co., dated April 8, 1974.

ZONING REQUEST

From Commercial to R-8 Residential
Present Zoning Proposed Zoning

LAND USE

From Commercial/Office to Residential
Present Land Use Proposed Land Use

For the Purpose of Subdividing one commercially zoned lot into 3 Residential lots

Size of Tract 29,509 sq.ft.

Location 1424 Spring Street, Smyrna 30080 Corner of Spring Street and Alexander Street
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 559 District 17th

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: Residential

East: Residential

South: Residential

West: Commercial

CONTIGUOUS LAND USE

North: Residential

East: Residential

South: Residential

West: Commercial

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:

Applicant has attempted to contact the city engineer through email and phone calls and the engineer never responded. There is city water and sewer on Alexander Street.

TRANSPORTATION

Access to Property? Access to all three lots is from Alexander Street

Improvements proposed by developer? Lot 1 is an existing home, no changes will be made

Adding curbing and sidewalk per site plan in front of Lot 2 when the proposed single family home is constructed

Lot 3 will remain vacant so no changes are proposed. If, at some point, a home is built then standard

Curbs and sidewalk will be added per site plan

Comments:

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:

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:

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:

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: _____

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:

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?

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 8th day of May, 2020.



(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.

Subject property is located in the historic Williams Park Neighborhood and is currently surrounded on 3 sides by residential property. Proposed use is residential which fits in with the overall character of Williams Park

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

The proposed rezoning from commercial to residential will not adversely affect the surrounding residential property and will ensure a lower density use for the property which is favorable to the surrounding neighborhood

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

The subject property is currently an older, historic home that is being utilized as a chiropractic clinic and could continue as such but other uses within the allowed zoning uses would require extensive redevelopment of the site.

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.

Applicant is only asking for a rezoning to create two additional single family building lots which should not impose an undue burden on local infrastructure

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

The proposed rezoning to R-8 Residential conforms to the current 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 surrounding residential property owners are in favor of the rezoning to preserve the residential feel of the neighborhood and to help preserve the historic home currently on the property

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 subject property is located within the historic Williams Park Neighborhood. It is surrounded by unique and historic homes built around the early 1900's. Rezoning the property back to residential is the best way to preserve the existing home that is on the property (see attached information detailing the history of the home)

The proposed house that will be built on lot 2 will be a farmhouse style design that will compliment the existing houses nearby with vintage elements and a wrap-around front porch. Lot 3 will remain vacant. The owner plans to plant fruit trees and have it serve as a community orchard and green space.

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 rezoning from commercial to residential will be most compatible with the surrounding residential properties.

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.

As part of the rezoning the existing residential home will remain and the new home that is proposed will be similar in size and height to other homes surrounding the property. The preservation of the existing home on lot 1 will benefit the neighborhood and the city as a whole