

APPLICATION FOR REZONING  
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: \_\_\_\_\_

Application No: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

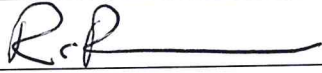
**APPLICANT:** AOS 454 LLC

Name: ROBERT RASH  
(Representative's name, printed)

Address: 2451 CUMBERLAND PARKWAY UNIT # 3238 ATL, GA 30339

Business Phone: 770 956 6455 Cell Phone: 678.923.1140 Fax Number: N/A

E-Mail Address: AOS PARTNERS 1 @ GMAIL.COM

Signature of Representative: 

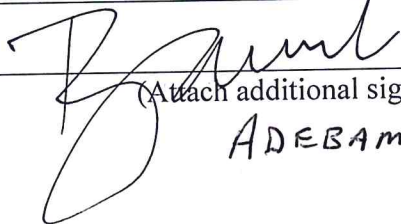
**TITLEHOLDER**

Name: AOS 454 LLC  
(Titleholder's name, printed)

Address: 2451 CUMBERLAND PARKWAY UNIT # 3238 ATL, GA 30339

Business Phone: 770.956.6455 Cell Phone: 678.471.6701 Home Phone: N/A

E-mail Address: AOS PARTNERS 1 @ GMAIL.COM

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

ADEBAMBO SONAIKE, Munge

(To be completed by City)

Received: \_\_\_\_\_

Heard by P&Z Board: \_\_\_\_\_

P&Z Recommendation: \_\_\_\_\_

Advertised: \_\_\_\_\_

Posted: \_\_\_\_\_

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

**ZONING REQUEST**

From R-15 to R-10  
Present Zoning Proposed Zoning

**LAND USE**

From LOW DENSITY RESIDENTIAL to MODERATE DENSITY RESIDENTIAL  
Present Land Use Proposed Land Use

For the Purpose of BUILDING ONE SINGLE FAMILY HOME

Size of Tract 10,054 SF 0.23 ACRES

Location 454 SMYRNA POWDER SPRINGS Rd SE, 30082  
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 304 District 17 TH

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:

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

(To be completed by City)

Recommendation of Planning Commission:

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

Council's Decision:

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

CONTIGUOUS ZONING

North: RDA + GC

East: R-15

South: RDA + R-15

West: R-15

CONTIGUOUS LAND USE

North: MODERATE DENSITY RESIDENTIAL + MIXED USE

East: PUBLIC INSTITUTIONAL (CHURCH)

South: MODERATE DENSITY RESIDENTIAL

West: LOW DENSITY RESIDENTIAL

**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:

SMYRNA WATER AND SEWER AVAILABLE  
\_\_\_\_\_  
\_\_\_\_\_

**TRANSPORTATION**

Access to Property? THIS IS A CORNER LOT WITH 230' of  
EXISTING ROAD FRONTAGE  
130' ON OLD CONCORD 100' ON HICKORY LANE  
A LOT OF ACCESS

Improvements proposed by developer? \_\_\_\_\_  
BUILD ONE, NEW, 2-STORY HOME, APPROX 2,100 SF  
W/ 2 CAR GARAGE, CRAFTSMAN OR FARMHOUSE STYLE  
\_\_\_\_\_  
\_\_\_\_\_

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? NO

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 12 day of MARCH, 2021. 2021



\_\_\_\_\_  
(Applicant's Signature)

N/A

\_\_\_\_\_  
(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.

**Yes, suitable:** this proposal will create a corner lot with 230' of road frontage (130' on Old Concord and 100' on Hickory Lane). It will permit building an approx. **2,100 to 2,300** SF high quality new home, 2-story, Craftsman or Farmhouse, on slab, with 2 car garage (side load). The surrounding homes range from **1,600 to 2,300** SF, 2 story traditional and split-level homes. The new house size and location on lot will maintain a generous 50' front set back from Old Concord, with similar "house-to-house" distances as existing homes in Hickory Acres neighborhood. The proposed home will also have similar height and mass ... it will not be a "giant" towering over existing homes.

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

**No,** the proposed lot and house will not adversely affect the existing adjacent properties. The new home will be situated between 2 existing homes. The new home will not obstruct the front or rear view of either existing home. Instead of adversely affecting existing homes, the proposed new house will add to the charm of the neighborhood and increase the value of surrounding homes. (The current land has a lot of over-grown shrubs, giving the street an unkempt look)

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

**No,** economic use as-is. The property as currently zoned will not allow a new house to be built on it. As it is currently zoned, the land will remain idle forever, with no economic use to a new family, and no economic improvement to the City of 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**, the proposed addition of one new house will not cause excessive burden to City of Smyrna infrastructure, utilities, transportation, or schools.

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

**Yes**, the proposed zoning is in conformity with the intent of the land use plan. The subject property is directly adjacent to a moderate density RDA housing development, GC, and a church. This proposed lot fits in well with the existing neighborhood, house sizes, and house placements.

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 entire City of Smyrna is continually improving, thanks to thoughtful and intentional planning. This proposed lot and eventual new home is in complete harmony with the intentions of the City. The proposed lot is not the largest, nor the smallest building lot within a 1,000 foot radius ... and the proposed home will fit in naturally and beautifully with the neighborhood.



### 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 development of this property into an additional buildable lot **will enhance the architectural standards and aesthetics of the general neighborhood**. The current lot (and surrounding homes) are older, tired, homes in varying degrees of disrepair. This new lot, house, and family will definitely clean up the land (currently overgrown bush), and add a new, charming, modern construction home to raise the standard in this neighborhood. The new home will fit in with the historical look of the area by not being too big, and also having beautiful architectural elements keeping with Smyrna (craftsman or farmhouse).

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 is **very compatible** with the current neighborhood.

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 discussed in the previous questions (above), the proposed new lot and home will be a **positive improvement** to the neighborhood.