

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

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: FCJ Partners, LLC

Name: Frank D'Aries

(Representative's name, printed)

Address: 1687 Ashebark Court, Marietta, GA 30068

Business Phone: _____ Cell Phone: 678-368-7113 Fax Number: _____

E-Mail Address: frank@newbrighthouse.com

Signature of Representative: 

TITLEHOLDER

Name: Gurney LLC - Darshan Singh

(Titleholder's name, printed)

Address: 3456 SE Harold Court, Portland, OG 97202

Business Phone: _____ Cell Phone: 678-559-9073 Home Phone: _____

E-mail Address: darshansingh1@gmail.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: _____

ZONING REQUEST

From RTD to RDA
Present Zoning Proposed Zoning

LAND USE

From Duplex house to 2 Single Family homes
Present Land Use Proposed Land Use

For the Purpose of Building single family homes

Size of Tract 15,350 sf or .353 acres

Location 2790 Mathews Street, Smyrna, GA 30080
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 593 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: RTD _____

East: RDA _____

South: RTD _____

West: RTD _____

CONTIGUOUS LAND USE

North: Single Family Home _____

East: Single Family Homes _____

South: Fee Simple Townhouses _____

West: Single Family House _____

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:

TRANSPORTATION

Access to Property? Direct access off of Mathews Street

Improvements proposed by developer? _____

New water and sewer lines to Tract 1. Installing a Dry Well system for site and installing a private driveway to be shared.

Comments:

To demolish existing duplex and then propose to subdivide parcel into 2 lots and construct 2 individual single family detached homes that are consistent with the newer houses already built on this street. The number of units and density will remain unchanged from what currently exists on-site today. The proposed lots will be 7,260 sf & 8,090 sf. (5.68 units per acre)

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?

N/A

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 10th day of December, 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.

The rezoning proposal promotes a use that is suitable in view of the use and development of adjacent and nearby properties. Other properties in the area are zoned RDA single-family residential district and residential use are developed accordingly.

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

The rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The properties directly to the East of the site are similar in lot size and proposed dwelling size. The proposed use is for single family detached dwelling with surrounding properties for residential use.

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

Current zoning and use is similar in intended economic use. The proposed zoning promotes ownership and engagement of owners in the area likely to become engaged in long term sustainability of the community.

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 rezoning proposal would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Current use is attached townhome and provides for similar number of vehicles/occupants as proposed RDA zoning.

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

The proposed zoning benefits the surrounding area and keeps the growth and vitalization of the surrounding zoning consistent with the existing RDA and residential use of the surrounding properties in the area.

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.

There are other existing or prior rezoned properties and conditions affecting the use and development of the surrounding properties in line with the request to rezone the property to RDA.

The zoning proposal creates a suitable use for the property, which will not adversely affect adjacent properties and will be beneficial to the long-range engagement of residents in the community.

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 property rezoning will enhance the architectural requirements and aesthetics of the general neighborhood. The zoning proposal will maintain single-family detached homes of the surrounding area.

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 RDA zoning will not include uses that will create a nuisance or be incompatible with the existing uses in the area as surrounding properties are comparable to the proposed single-family dwellings.

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 zoning reflects the land area and building heights of the general neighborhood and other uses in the immediate area.
