



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

October 22, 2021

Mr. David Webb, AICP
Cobb County Community Development
Planning Division
PO Box 649
1150 Powder Springs Street, Suite 400
Marietta, GA 30064

Greetings:

This is to advise that the proposed annexation of approximately 0.19 Acre Tract – Parcel # 17034001010 - all that tract or parcel of land lying and being in Land Lot 340, 17th District, Cobb County, Georgia –Common Area #3, Smyrna, GA. This property will be part of Ward 3 and rezoned from R-20 to RDA.

We would like to schedule this annexation for consideration by the Smyrna Mayor and Council at the November 15, 2021 meeting.

A copy of the file pertaining to the captioned annexation proposal is enclosed in its entirety.

Thank you for your attention in this matter.

Sincerely,

Heather K. Peacon-Corn
City Clerk

Enclosures

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Austin Wagner / Ward 3 – Travis Lindley / Ward 4 – Charles (Corkey) Welch
Ward 5 – Susan Wilkinson / Mayor Pro Tem ~ Ward 6 – Tim Gould / Ward 7 – Lewis Wheaton

Interim City Administrator – Joseph Bennett / City Clerk – Heather K. Peacon-Corn / City Attorney – Scott Cochran
Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams

2021 SUBMISSION UNDER SECTION 5
OF THE VOTING RIGHTS ACT
FOR THE CITY OF SMYRNA, GEORGIA

Map Designation# _____ LL/Parcel# 17034001010
City Ward# 3 Census Tract# 311.15

Copies of annexation ordinance (council meeting minutes) are attached, marked:
Exhibit _____

Responsible body: Mayor and Council of the City of Smyrna
P.O. Box 1226
Smyrna, GA 30081
Telephone (770) 434-6600

*THIS SECTION TO BE COMPLETED BY APPLICANT. PLEASE BE SURE THIS
INFORMATION IS ACCURATE - IT WILL BE USED TO ESTABLISH EMERGENCY
SERVICE THROUGH OUR 911 SYSTEM.*

1. Is the property to be annexed vacant? Yes ☒ No ☐
2. If NO, name of resident(s): _____
3. Complete street address: Common area #3
4. Telephone Number 770-231-7719
5. Number of registered voters before annexation: 0
Number and type of minorities or minority language groups: 0
6. Number of registered voters after annexation: 0
Number and type of minorities or minority language groups: 0
7. Use of property before annexation (i.e., vacant, business, residential): Park - vacant
8. Zoning classification before annexation: P-20
9. Use of property after annexation (i.e., vacant, business, residential). If residential, please state proposed number of dwelling units: Park - vacant
10. Zoning classification being requested (if any): RDA
11. Effect of change on members of racial or minority groups: 0
12. Total number of acres being annexed: 0.19

City of Smyrna
Application for Annexation

We, the undersigned, who constitute one hundred percent (100%) of the owners of the land by acreage, as described below, which is unincorporated and contiguous to the City of Smyrna, hereby apply to have said area annexed into the City of Smyrna under the provisions of laws of the State of Georgia, said property being annexed being described as follows:

WHEREFORE, THE UNDERSIGNED HEREBY APPLY FOR SUCH ANNEXATION.

EPIC CONDOM LLC

Owner's Printed Name

Owner's Printed Name

2235 Nix Bridge road 772-231-7719

Address

Telephone#

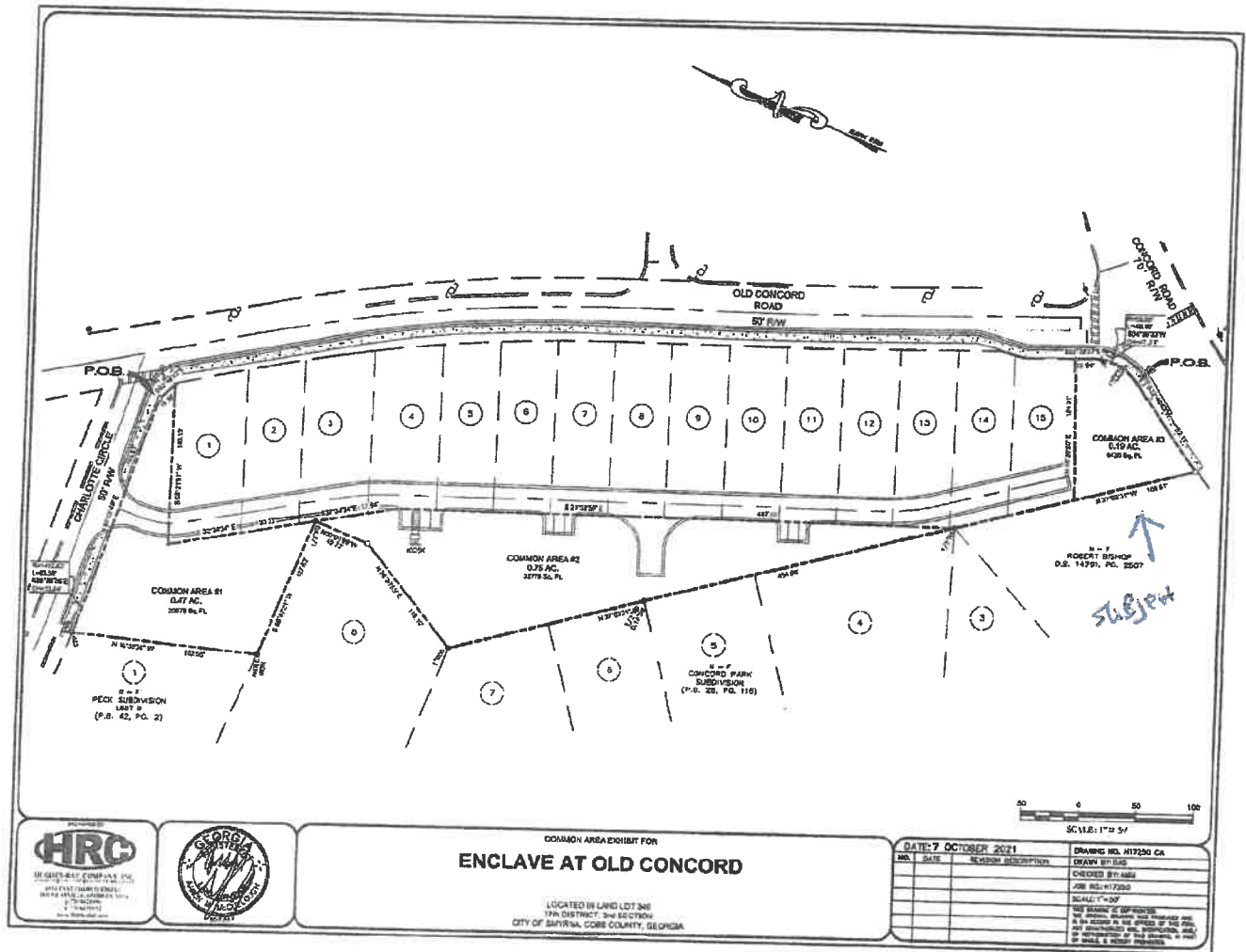
Address

Telephone#

Witness the hands and seals of 100% of the record title holders of the land described above:

[Signature] 10/1/21
Owner's Legal Signature/Date

Owner's Legal Signature/Date



COMMON AREA 3
PROPERTY LINE DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 340 OF THE 17TH DISTRICT, 2ND SECTION, CITY OF SMYRNA, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF OLD CONCORD ROAD (50' R/W) AND THE NORTHERLY RIGHT-OF-WAY OF CONCORD ROAD (70' R/W)
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 32 DEGREES 46 MINUTES 43 SECONDS WEST, 92.11 FEET TO A POINT;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 37 DEGREES 03 MINUTES 31 SECONDS WEST, 108.61 FEET TO A POINT;
THENCE, NORTH 66 DEGREES 26 MINUTES 20 SECONDS EAST, 124.31 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY;
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 23 DEGREES 33 MINUTES 37 SECONDS EAST, 12.94 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 49.16 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND BEING SUBTENDED BY A CHORD OF 47.21 FEET, AT SOUTH 04 DEGREES 36 MINUTES 33 SECONDS WEST, TO THE POINT OF BEGINNING;

SAID TRACT OR PARCEL CONTAINING 0.19 ACRES (8,420 SQUARE FEET)



Cobb County Land Use and Zoning Report

Parcel Information:

PIN: 17034001010
Property Addr.: **Owner:** EPIC HOMES LLC
Owner Name: **Address:** OLD CONCORD RD
Owner Addr.: SUWANEE GA 30024

Zoning District: R-20



EXHIBIT "A"

COMMON AREA #3 – Legal Description

PROPERTY LINE DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 340 OF THE 17TH DISTRICT, 2ND SECTION, CITY OF SMYRNA, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF OLD CONCORD ROAD (50' R/W) AND THE NORTHERLY RIGHT-OF-WAY OF CONCORD ROAD (70" R/W)

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 32 DEGREES 46 MINUTES 43 SECONDS WEST 92.11 FEET TO A POINT;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 37 DEGREES 03 MINUTES 31 SECONDS WEST 108.61 FEET TO A POINT;

THENCE, NORTH 66 DEGREES 26 MINUTES 20 SECONDS EAST, 124.31 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 23 DEGREES 33 MINUTES 37 SECONDS EAST, 12.94 FEET TO A POINT;

THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 49.16 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND BEING SUBTENDED BY A CHORD OF 47.21 FEET, AT SOUTH 04 DEGREES 36 MINUTES 33 SECONDS WEST, TO THE POINT OF THE BEGINNING;

SAID TRACT OR PARCEL CONTAINING 0.19 ACRES (8,420 SQUARE FEET)

ORDINANCE ANNEXING PROPERTY
INTO THE CITY OF SMYRNA

Ordinance Number:	<u>2022-07</u>
Land Lot:	<u>340</u>
Parcel #	<u>17034001010</u>
Acres	<u>0.19 acres</u>

WHEREAS, the City of Smyrna is authorized pursuant to Title 36, Article 2, of the Official Code of Georgia Annotated to allow annexation of property; and

WHEREAS, the owners of 100 percent of the land described in Exhibit "A" attached hereto have been notified of the City's desire that their property be annexed into the City of Smyrna as shown on said Exhibit; and

WHEREAS, the City of Smyrna has determined, and does hereby determine that the annexation of said property into the municipality would be in the best interests of the property owners of the area to be annexed and of the citizens of the municipality; and

WHEREAS, at a regular meeting of the City Council of Smyrna the motion to approve the annexation of said property passed by a majority vote without veto; and

NOW THEREFORE, BE IT ORDAINED, and it is hereby ordained that the Charter of the City of Smyrna be amended and the same is hereby amended by adding to the description of the City Limits the property herein annexed. Such legal description is attached hereto as Exhibit "A".

BE IT ALSO ORDAINED that the Official Map of the City of Smyrna be amended to show the annexation of said property.

SO, ORDAINED by the City Council of the City of Smyrna, this 7th day of March 2022

Derek Norton, Mayor

ATTEST:

Heather K. Peacon-Corn, City Clerk
City of Smyrna

Scott Cochran, City Attorney
City of Smyrna

CITY SEAL:

