

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

Type or Print Clearly

(To be completed by City)

Ward: 3

Application No: Z18-007

Hearing Date: _____


APPLICANT: PM BUILDERS, LLC

Name: BRAD THOMPSON
(Representative's name, printed)

Address: PO BOX 680813

Business Phone: _____ Cell Phone: 770-527-8500 Fax Number: _____

E-Mail Address: BQTHOMPSON@GMAIL.COM

Signature of Representative: 


TITLEHOLDER

Name: PM BUILDERS, LLC
(Titleholder's name, printed)

Address: PO BOX 680813

Business Phone: _____ Cell Phone: 770-527-8500 Home Phone: _____

E-mail Address: BQTHOMPSON@GMAIL.COM

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

(To be completed by City)

Received: 3/9/18

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: 3/23/18

Approved/Denied: _____

ZONING REQUEST

From R-15 Present Zoning to RAD CONDITIONAL Proposed Zoning

LAND USE

From MIXED Present Land Use to MIXED USE Proposed Land Use

For the Purpose of SINGLE FAMILY RESIDENTIAL

Size of Tract 1/2 ACRE

Location 1478 SPRING STREET, SMYRNA, GA. 30080
(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: RAA

East: R-15

South: R-15

West: R-15

CONTIGUOUS LAND USE

North: SINGLE FAMILY MODERATE DENSITY

East: SINGLE FAMILY MODERATE DENSITY

South: SINGLE FAMILY MIXED USE

West: CHURCH MIXED USE

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.

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:

WATER AND SEWER CAPACITY SERVE BOTH LOCATIONS.

TRANSPORTATION

Access to Property? SPRING STREET TO FOSTER STREET

Improvements proposed by developer? NO TRANSPORTATION IMPROVEMENTS ARE NECESSARY

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?

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:

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?

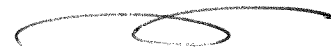
NO

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 8th day of MARCH, 2018.



(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 ADJACENT PROPERTY ON 3 SIDES IS SINGLE FAMILY RESIDENTIAL WITH A CHURCH ON THE WEST SIDE. THIS PROPOSAL IS CONSISTENT WITH AREA IMMEDIATELY AROUND THE PROPERTY.

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

NO ADVERSE AFFECTS WOULD BE CREATED BY THIS PROPOSAL.

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

THE PROPERTY TO THE SOUTH IS IN NEED OF IMPROVEMENT. THIS PROPOSAL WOULD CREATE AN IMPROVEMENT THAT MAY EVENTUALLY BE A CATALYST FOR ALL OF FOSTER STREET.

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 ADDITIONAL BURDEN WOULD BE REALIZED BY THIS
PROPOSAL.

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

THE LAND USE IS CURRENTLY MIXED USE WHICH ALLOWS
FOR A WIDE VARIETY OF USES. THIS PROPOSAL CONFORMS
WITH THE INTENT OF THE 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 EXISTING CONDITION OF HOMES ON FOSTER
STREET SUPPORT THE NEED FOR AESTHETIC UPGRADES.
APPROVAL OF THIS PROPOSAL WILL INCREASE THE
PROBABILITY OF IMPROVING THE ENTIRETY OF
FOSTER STREET.

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.

THIS PROPOSAL WOULD ENHANCE THE ARCHITECTURAL AND
AESTHETIC NATURE OF SPRING STREET AND FOSTER STREET.

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

THIS PROPOSAL IS COMPATIBLE WITH THE EXISTING USES
IN THE AREA.

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 PROPOSAL IS CONSISTENT WITH EXISTING USES AND
WILL ENHANCE THE AESTHETIC CHARACTER OF THIS
IMMEDIATE AREA.

BK: 15163 PG: 522
Filed and Recorded Jun-13-2014 09:04:31AM
DOC#: D2014-039307
Real Estate Transfer Tax Paid \$58.00
0332014011618

Rebecca Keaton
REBECCA KEATON
CLERK OF SUPERIOR COURT Cobb Cty. GA.

GANEK WRIGHT MINSK PC
Bill Wright, Esquire
4170 Ashford-Dunwoody Road, Suite 285
Atlanta, GA 30319
Telephone:(770)391-0073
Facsimile:(770)395-9610
File Number: BW140252

WARRANTY DEED

STATE OF GEORGIA COUNTY OF DEKALB

THIS INDENTURE, made June 3, 2014 between

Georgia Bank Homes, LLC a/k/a Georgia Bank Homes,

as party or parties of the first part, hereinafter called Grantor, and

PM Builders, LLC

as party or parties of the second part, hereinafter called Grantee (the words, "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 AND OTHER GOOD AND VALUABLE CONSIDERATION-----(\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 559 OF THE 17TH DISTRICT, 2ND SECTION OF COBB COUNTY, GEORGIA:

BEGINNING AT AN IRON PIN ON EAST SIDE OF FOSTER STREET AT CORNER OF DOYAL BARNETT'S PROPERTY AND RUNNING EAST 117' TO PROPERTY OF B.E. COCHRAN; THENCE NORTH WITH DITCH 31' TO CORNER OF CHARLES DOBBS' PROPERTY; THENCE NORTH 141 FEET TO IRON PIN ON TERRELL STREET (SPRING STREET); THENCE WEST 109' TO CORNER OF TERRELL STREET AND FOSTER STREET; THENCE SOUTH ALONG FOSTER STREET TO STARTING POINT.

This conveyance is made subject to the following:

1. State and county ad valorem real property taxes and assessments for 2014, a lien not yet due and payable at the time of execution, and subsequent years.
2. All easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only property use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

GRANTOR(S):

Georgia Bank Homes, LLC (SEAL)

BY: *Christopher Kirkland*
Christopher Kirkland

ITS: Member

[Signature]
UNOFFICIAL WITNESS

NOTARY PUBLIC
MY COMMISSION EXPIRES:
(NOTARY SEAL)



March 7, 2018

Legal Description:

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

Beginning at the Southeast intersection of the right-of-way of Spring Street (40 foot right-of-way) and Foster Street (40 foot right-of-way) running thence along the Southern right-of-way of Spring Street North 89 degrees 57 minutes 33 seconds East, for a distance of 104.24 feet to an iron pin found; running thence South 02 degrees 09 minutes 11 seconds West, for a distance of 144.14 feet to an iron pin placed; running thence South 33 degrees 01 minutes 22 seconds East, for a distance of 31.00 feet to an iron pin placed; running thence South 89 degrees 39 minutes 50 seconds West, for a distance of 107.61 feet to an iron pin placed on the Eastern right-of-way of Foster Street; running thence along the Eastern right-of-way of Foster Street North 02 degrees 43 minutes 20 West, for a distance of 170.78 feet to the Point of Beginning.

Said tract containing 0.3847 acres (16,756 square feet)



Printed: 2/20/2018

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
 Phone: 770-528-8600
 Fax: 770-528-8679

Payer:
BRADLEY M THOMPSON

PM BUILDINGS LLC.

Payment Date: 10/5/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2017	17055900030	10/15/2017	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$901.20	\$0.00



Scan this code with your
 mobile phone to view this
 bill!



Munis Self Service

Real Estate

[View Bill](#)

[View bill image](#)

As of

Bill Year 2017

Bill 13021

Owner PM BUILDINGS LLC.

Parcel ID 17055900030

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	11/15/2017	\$314.15	\$314.15	\$0.00	\$0.00	\$0.00
TOTAL		\$314.15	\$314.15	\$0.00	\$0.00	\$0.00

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Exterior cladding for the homes will be a combination of some of the following items:

Brick
Stone
Board & Batten
Lap Siding
Face Siding
Shingles

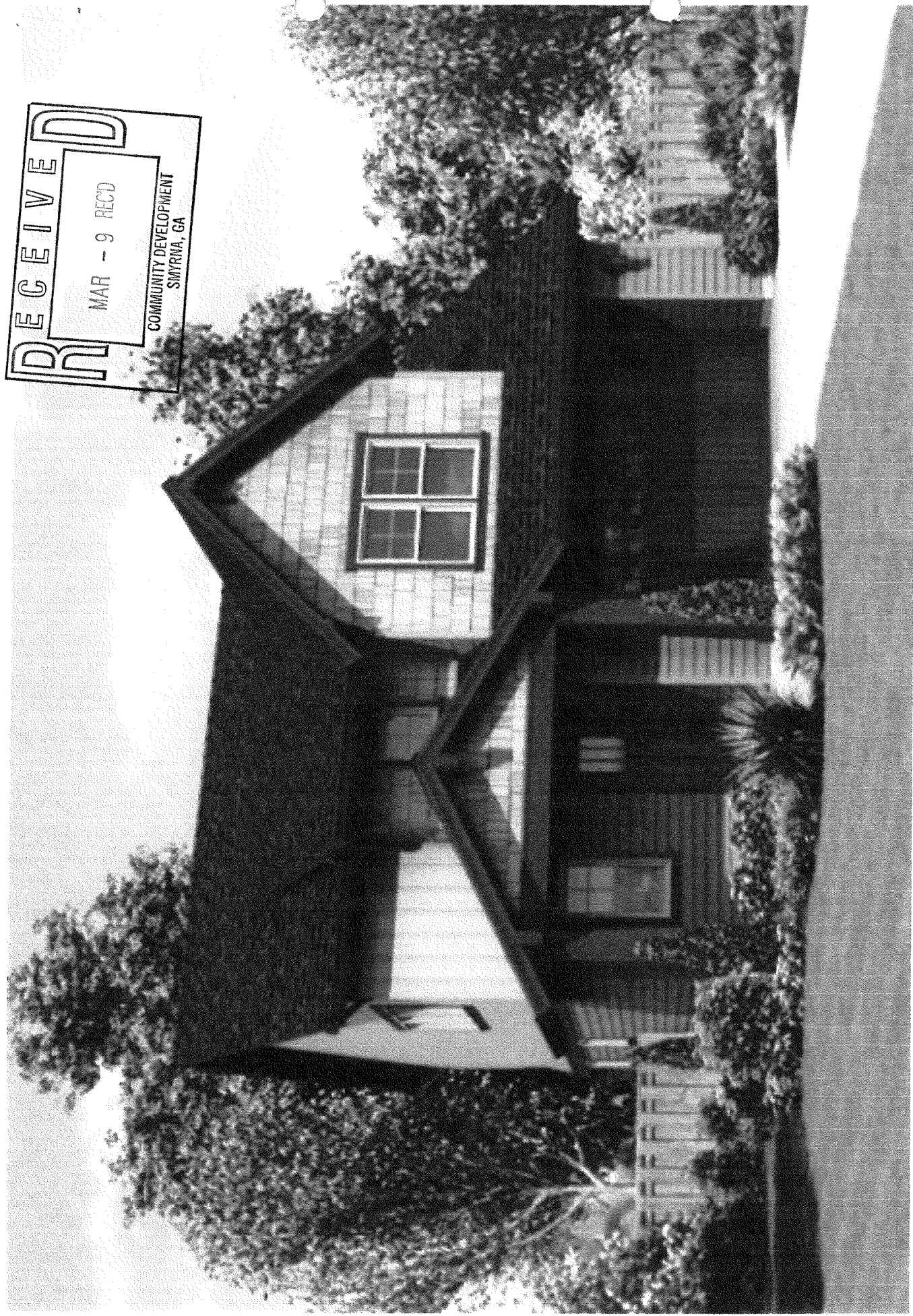
The final elevations have not been determined. In concept, they will closely resemble the elevation attachments in this package.

The property has no trees. For years, this property was covered with small scrub bushes, weeds, kudzu and undergrowth. It was cleared in late 2017 of all the undergrowth. There were no trees on the site at the time of clearing except one medium sized magnolia type near the corner of Spring Street and Foster Street.



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RECEIVED
MAR - 9 RECD
COMMUNITY DEVELOPMENT
SMYRNA, GA



Peak Design Group, Inc. assumes no liability for the use of these drawings. The user of these drawings shall be responsible for the accuracy of the information and the suitability of the information for the intended use.

Verify all dimensions, notes, and conditions. All work shall conform to local building codes and all applicable codes. The user shall be responsible for the accuracy of the information and the suitability of the information for the intended use.

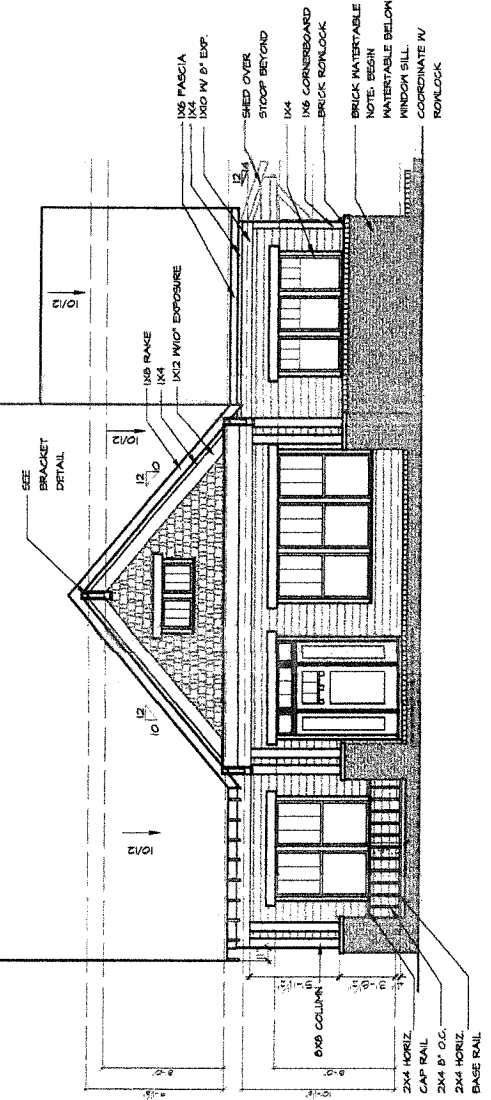
MAGNOLIA
FOR PRICE McLAIN BUILDERS

NO.	DATE	DESC.

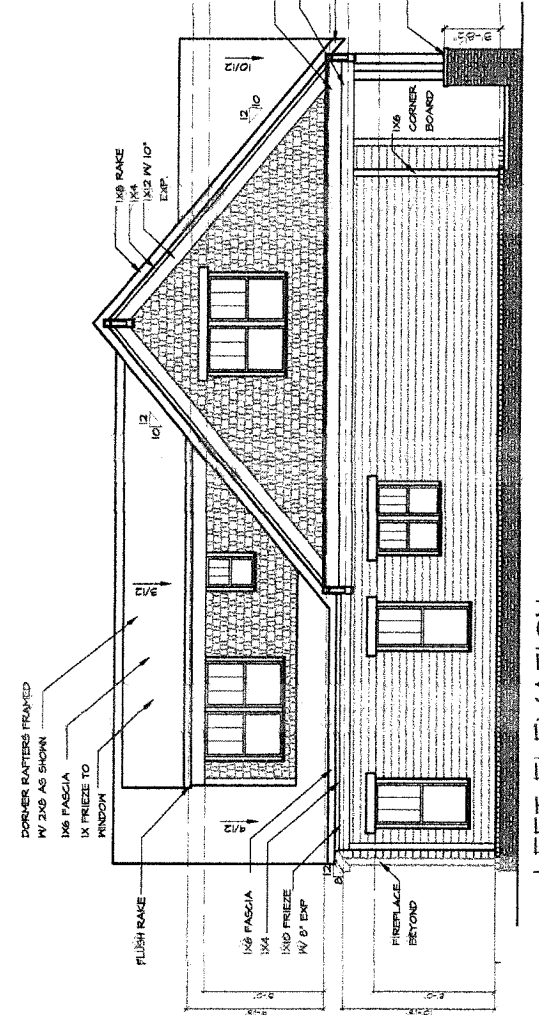
DATE: 08/20/14
PROJECT: FRONT & LEFT ELEVATIONS

A1.1

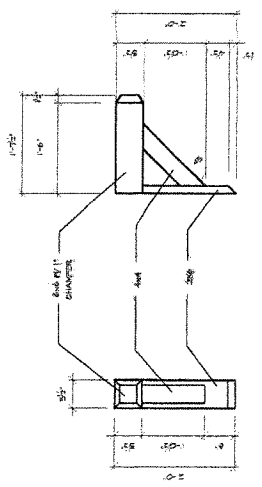
PEEK DESIGN GROUP
3750 Cedar Ridge NW, Phone: 770.222.4345
Atlanta, Georgia 30301 www.peakdesign.com



FRONT ELEVATION
SCALE: 1/8"=1'-0"



LEFT ELEVATION
SCALE: 1/8"=1'-0"



BRACKET DETAIL
1/2"=1'-0"

Peak Design Group, Inc. reserves the right to modify these drawings without notice. No part of these drawings shall be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Peak Design Group, Inc.

Verify all information for compliance with ALL local building codes in the jurisdiction where the drawings are intended to be used.

Engineering projects must comply with all applicable local, state, and federal codes.


Changes to and modifications of these drawings shall be made on separate sheets and shall be clearly identified.

MAGNOLIA
FOR PRICE McLAN BUILDERS

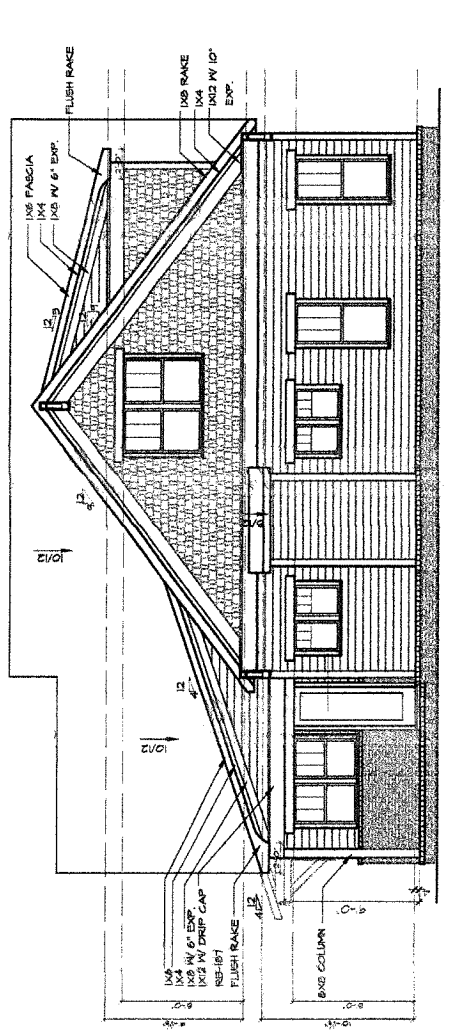
REV	DATE	DESC.

PROJECT	DATE
DESCRIPTION	

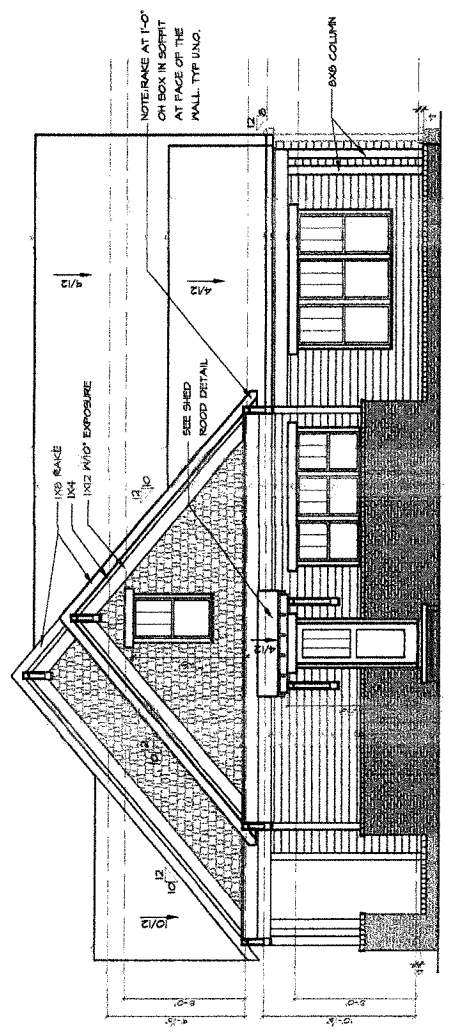
A1.2



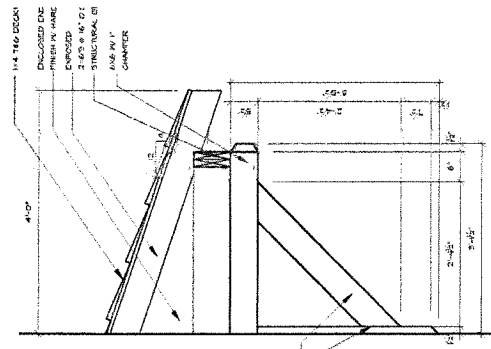
PEAK DESIGN GROUP
Suite 301
3915 Cull Parkway, NW
Atlanta, Georgia 30101
Phone: 770.222.9345
www.peakdesign.com



REAR ELEVATION
SCALE: 1/8"=1'-0"



RIGHT ELEVATION
SCALE: 1/8"=1'-0"



Peak Design Plans, Inc. assumes no liability for the construction of the building. The architect is responsible for the design and construction of the building. The contractor is responsible for the construction of the building. The owner is responsible for the construction of the building.

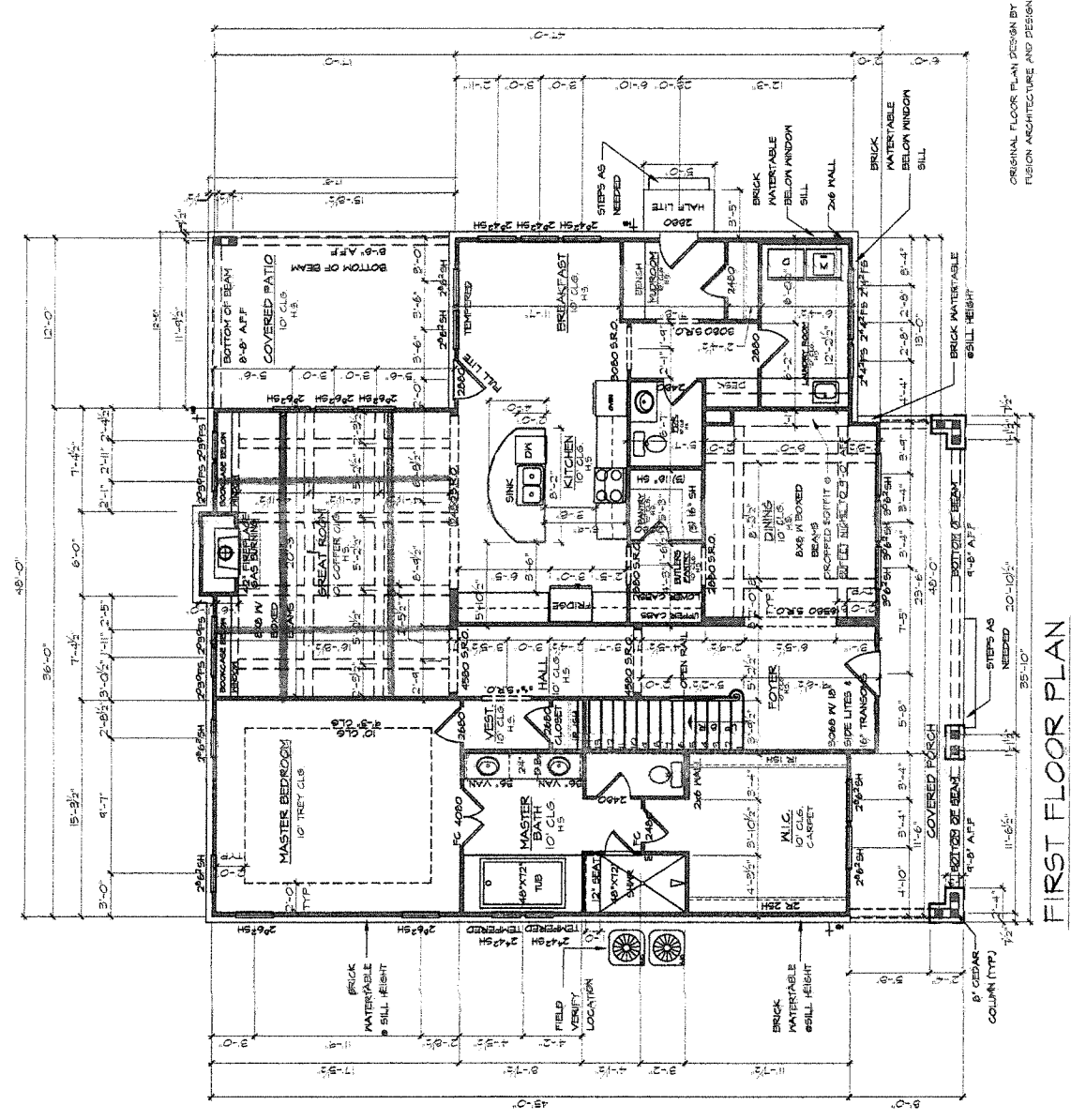
MAGNOLIA
FOR PRICE M'LAIN BUILDERS

NO.	DATE	DESC.

CONTRACT NO. 2012-0001
PROJECT NO. 2012-0001
DATE 08/20/12

A2.1

PEEK DESIGN
INC.
2940 Cobb Parkway NW
August, Georgia 30101
Phone: 770.222.4344
www.peakdesign.com



FIRST FLOOR PLAN

ORIGINAL FLOOR PLAN DESIGN BY
FUSION ARCHITECTURE AND DESIGN

Peak Design Group,
Inc. reserves the
right to make
changes to the
plans without
notice.
The contractor
shall be responsible
for obtaining all
necessary permits
and for complying
with all applicable
building codes and
regulations.
The contractor
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necessary permits
and for complying
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regulations.

MAGNOLIA
FOR PRICE McLAIN BUILDERS

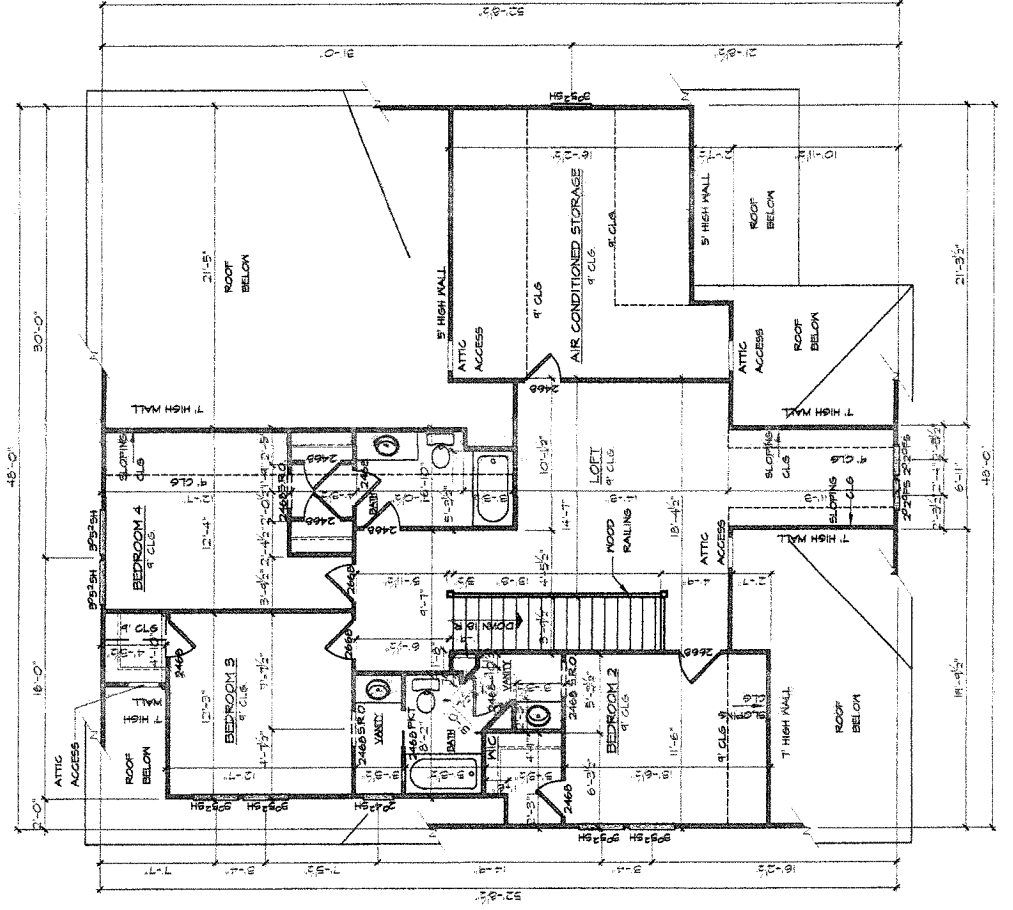
NO.	DATE	DESC.

DATE	DESCRIPTION

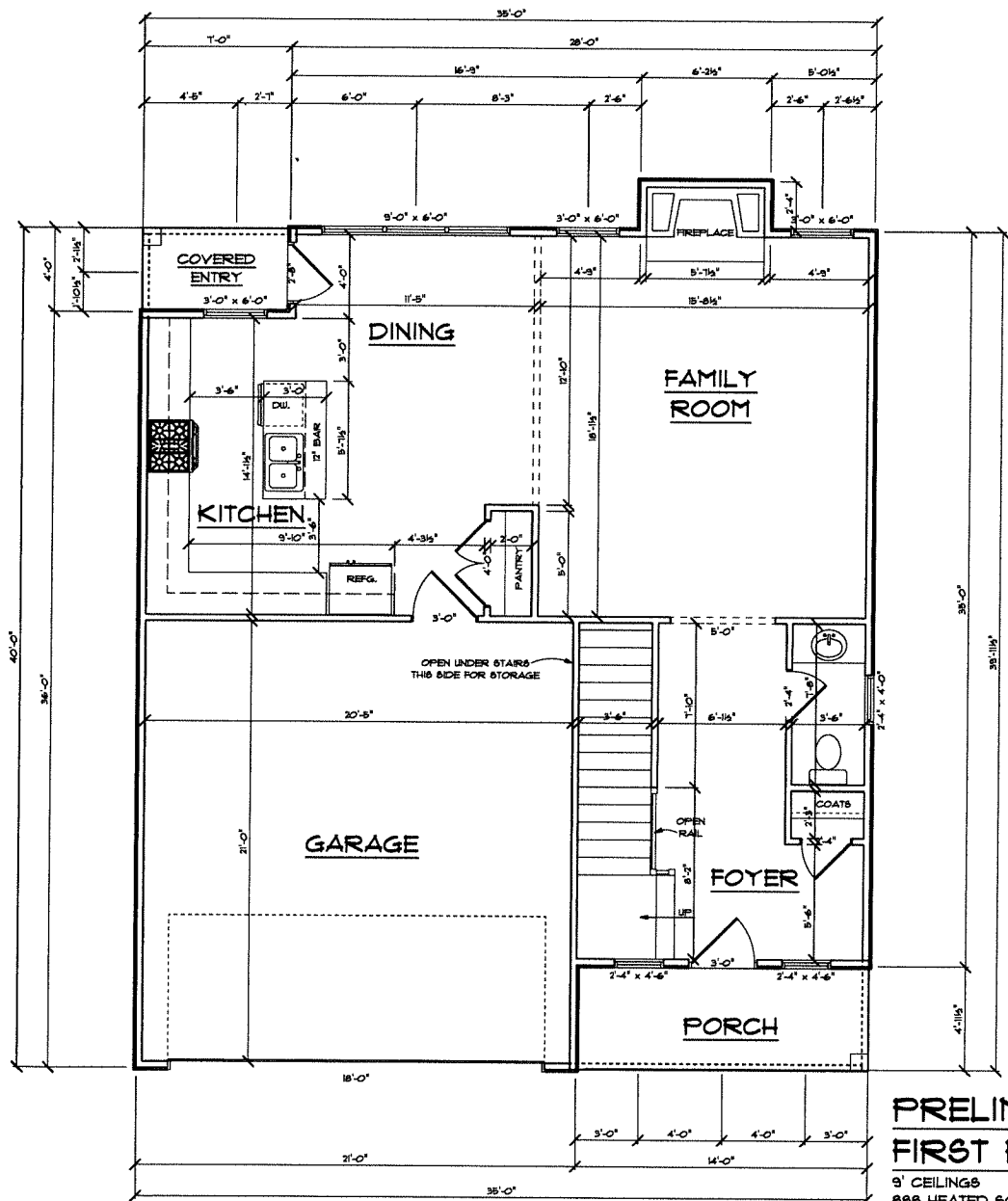
A2.2

PEEN DESIGN
u p
Suite 901
3950 Cadd Parkway, NW
Acworth, Georgia 30101
www.peendesign.com
Phone: 770.222.7544

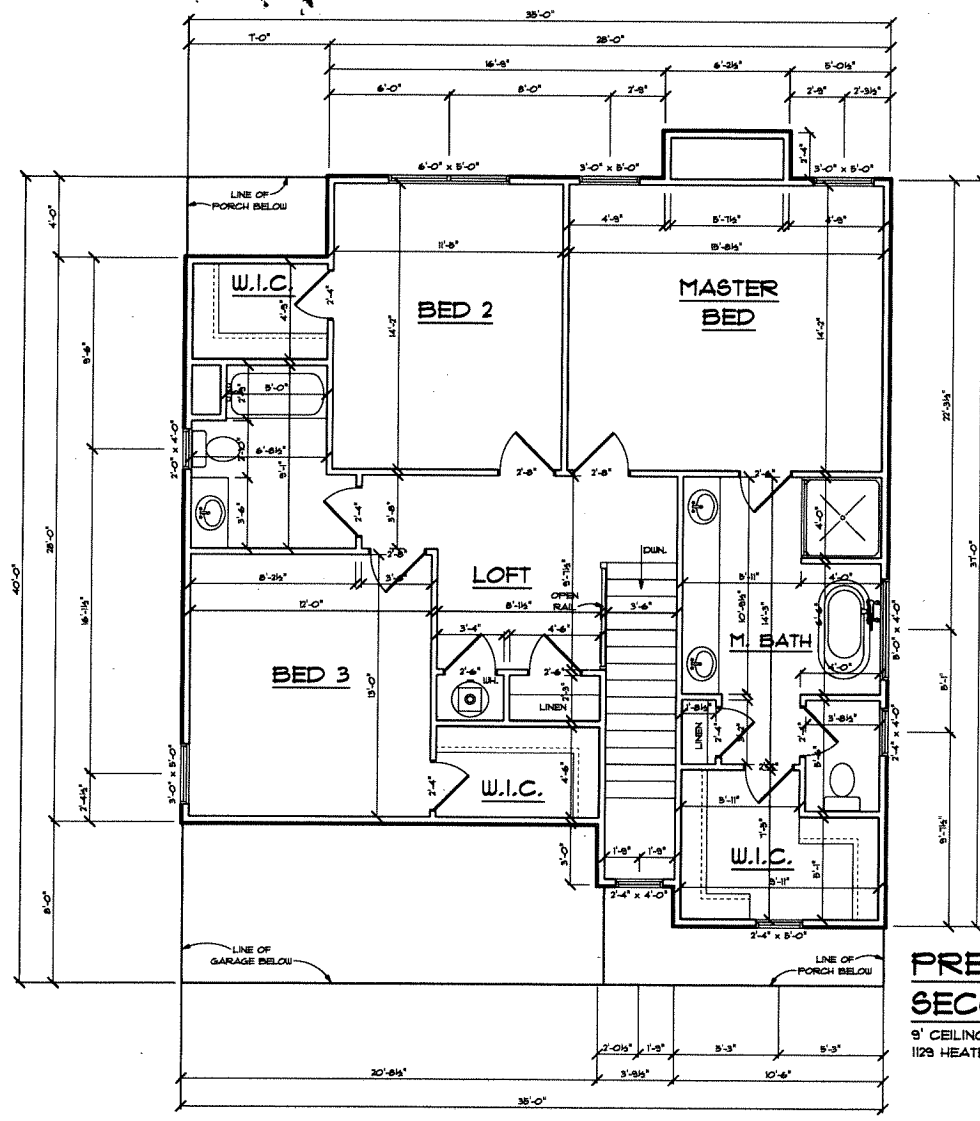
ORIGINAL FLOOR PLAN DESIGN BY
FUSION ARCHITECTURE AND DESIGN



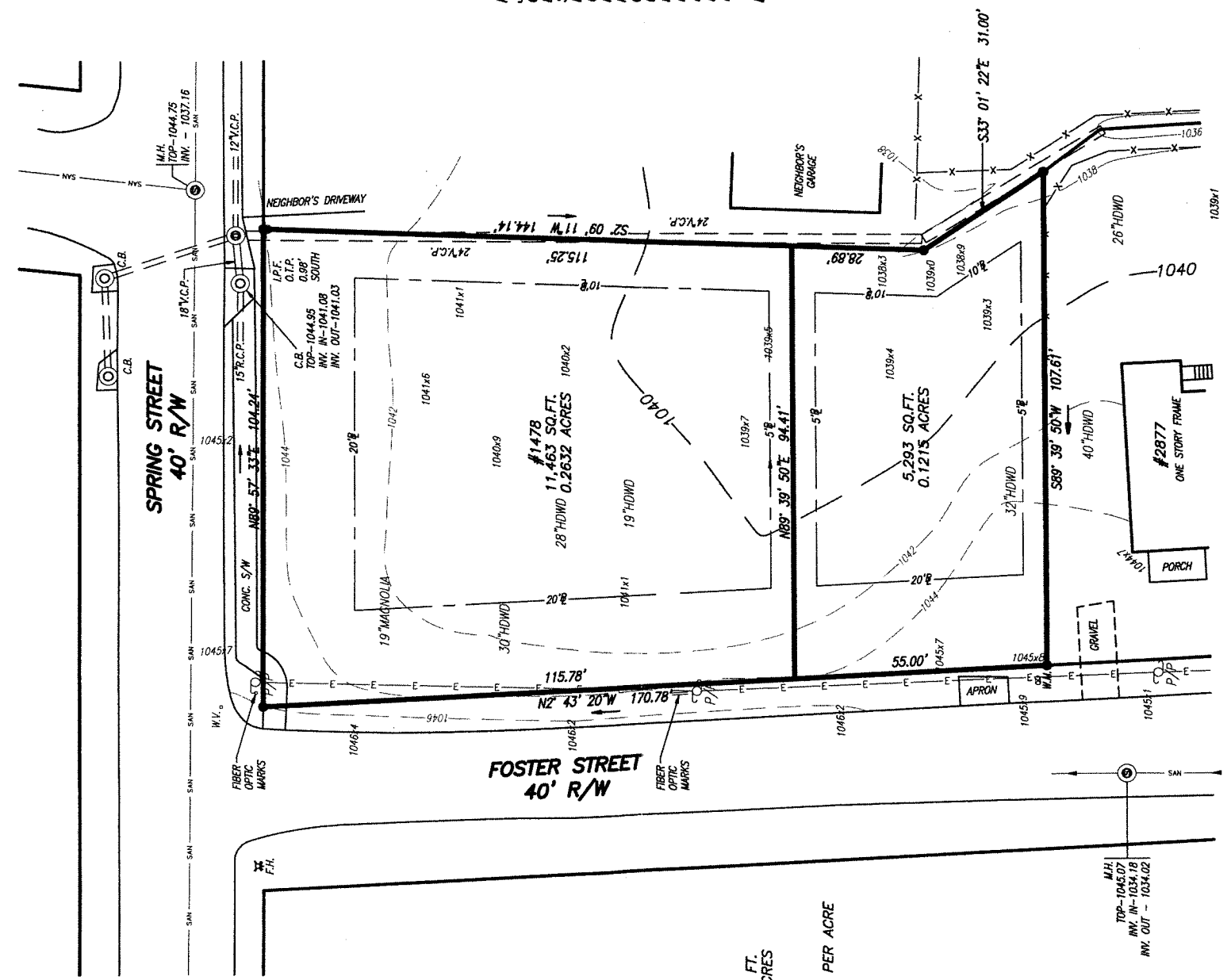
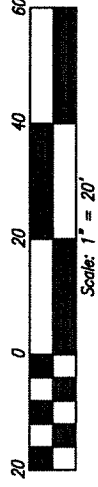
SECOND FLOOR PLAN
SCALE: 1/8"=1'-0"



**PRELIMINARY
FIRST FLOOR**
9' CEILINGS
888 HEATED SQ. FT.



**PRELIMINARY
SECOND FLOOR**
9' CEILING
1129 HEATED SQ. FT.



- LEGEND**
- M.H. --- MANHOLE
 - J.B. --- JUNCTION BOX
 - C.B. --- CATCH BASIN
 - D.I. --- DROP INLET
 - S.S.E. --- SANITARY SEWER ESMT
 - D.E. --- DRAINAGE EASEMENT
 - U.E. --- UTILITY EASEMENT
 - I.P.F. --- IRON PIN FOUND
 - I.P.S. --- IRON PIN SET
 - C.T.P. --- CRIMP TOP PIPE
 - O.T.P. --- OPEN TOP PIPE
 - R.F.B. --- RE-BAR
 - F.H. --- FIRE HYDRANT
 - B/L --- BUILDING LINE
 - R/W --- RIGHT OF WAY
 - P/P --- POWER POLE
 - ⊕ --- CENTER LINE
 - D.S. --- DOWN SPOUT

PROPERTY ZONED: R-15
 BUILDING SETBACK LINES
 FRONT - 20 FEET
 SIDE STREET - 20 FEET
 SIDE - 5 FEET
 REAR - 10 FEET
 TOTAL AREA - 16,756 SQ. FT.
 OR 0.3847 ACRES
 ELEVATION DATUM IS M.S.L.
 LOT DENSITY - 5.20 LOTS PER ACRE

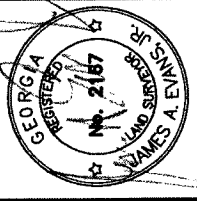
FLOOD STATEMENT:
 THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD
 AREA ACCORDING TO F.I.R.M. PANEL #13067C0119H
 LAST REVISED ON MARCH 4, 2013.

SURVEYED HLP
 DRAWN HLP, RAM
 DWG NAME FOSTER-SPRING
 JOB NO. 1478
 DATE 14-0236
MARCH 5, 2018

ZONING PLAT FOR
BRADLEY M. THOMPSON
 1478 SPRING STREET
 L.L. 559, DISTRICT 17, SECTION 2
 COBB COUNTY, GEORGIA

J.A. EVANS & ASSOCIATES
 3279 POWDER SPRINGS ROAD
 POWDER SPRINGS, GA. 30127
 PH. (770)943-0000

IN MY OPINION, THIS PLAT IS A
 CORRECT REPRESENTATION OF THE
 LAND PLATTED AND HAS BEEN
 PREPARED IN ACCORDANCE WITH
 THE MINIMUM STANDARDS AND
 REQUIREMENTS OF LAW.
 [Signature]
 GEORGIA REGISTERED LAND SURVEYOR



14-0236

