

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: Kimberly Norwood Properties, LLC

Name: Kimberly Norwood, Rick Kolb, Tom Ash, and or Sean Murphy
(Representative's name, printed)

Address: 10900 Crabapple Rd, Roswell, GA 30075

Business Phone: (678) 467-1739 Cell Phone: Sean 770-630-9205
Rick 404-518-3542 Fax Number: _____

E-Mail Address: kimberlynorwood98@gmail.com, rkolb@remax.net, tomashremax@gmail.com, sjassenmurphy@gmail.com

Signature of Representative: _____


TITLEHOLDER

Name: SOVEREIGN Pacific, LLC
(Titleholder's name, printed)

Address: PO Box 1375, Conyers, GA 30012

Business Phone: _____ Cell Phone: 770/329-4200 Home Phone: _____

E-mail Address: ASHIPP@SOVEREIGNPARTNERS.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 Cobb County R20/RM12/GC (Mixed) to R15 With Conditions
Present Zoning Proposed Zoning

LAND USE

From Vacant Land / Single Family Residential to Single Family Residential
Present Land Use Proposed Land Use

For the Purpose of To construct two or three homes on historically platted lots

Size of Tract 1.09 ac

Location Greenridge Street SE and Pat Mell Rd, SE
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 349 District 17th 2nd section

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: Cobb County - R20/GC Per GIS (multi-family)

East: Cobb County - R20 Per GIS (Single Family)

South: Cobb County - R20/GC Per GIS (Single Family)

West: Cobb County - R20/GC Per GIS (Single Family/Town Homes)

CONTIGUOUS LAND USE

North: Multifamily Residential

East: Single Family Residential

South: Single Family Residential

West: Multifamily Residential

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:

Letter has been requested from the current Director of Public works Ernest Frank Martin
and will be provided to staff on receipt.

TRANSPORTATION

Access to Property? Direct vehicular and pedestrian access is from Greenridge Street SE an 2 lane asphalt
existing public residential road.

Improvements proposed by developer? A 5' sidewalk is proposed on the applicants side of the
street from property line to property line north and south side of the lots. The sidewalk will be
separated from the road by a 24" grass strip. Two new 2 story single family homes are proposed.
Concrete driveways with aprons, sidewalks to the front porch and a rear patio are also proposed.

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:

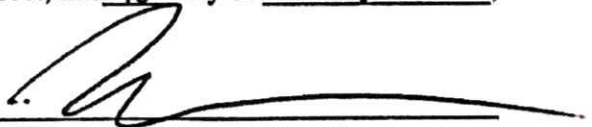
Does the Mayor or any member of the City Council or Planning and Zoning Board have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

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 10 day of January, 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 proposed "use" is the same use as currently zoned, which is single family.
The proposed "use" is identical to the usage of adjacent development to the south and east.
The proposed "use" is a down zoning from the adjacent multi-family uses to the west and north.
For these reasons it is logical that a "single family residential use" would be "suitable" under the zoning laws of the state of Georgia and the City of Smyrna.

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

The proposed "zoning" and "use" are the same as the existing residential uses of the adjacent lots and lands and nothing in this zoning proposal would impact the "usability" of adjacent or nearby property.

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

The proposed zoning is only required due to annexation into the city and the change in zoning from the county zoning has been selected to be equivalent or comparable to the current county zoning. Without this rezoning the lots cannot be annexed and cannot be developed.
The current county zoning is apparently a mix of 3 zonings designations and would also require rezoning if it were to be developed for residential lots as proposed.
So in fact, the lot could not be developed at all as "currently zoned".

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 addition of two residential single family homes in this location could not logically be shown to "cause and excessive or burdensome use of existing streets, transportation facilities, utilities or schools."

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

The Smyrna Future Land Use Plan does not address this unincorporated area of Cobb County. However the adjacent portions of the FLUP to the south are the same or similar to the land use proposed.

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.

Residential development for "work force housing" in the Metropolitan Atlanta area is reported to be at an all time low. Yet the need for affordable homes has reportedly increased dramatically over the last 10 years. The applicant proposed to build homes that will be moderately priced and more affordable than the new homes that have traditionally been developed in Smyrna over the past five years.

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 homes proposed will be a significant "upgrade" to the neighborhood which is composed of 50(plus) year old ranch and bungalow style homes (typically less than 1300 sf) and aging apartment home and townhome complexes that are two stories in height. The adjacent single family homes are separated by either a road or a vacant lot, thus providing sufficient buffers for the increase to two stories so that it is not seen as dominating the adjacent older homes.

The land was formerly overgrown and fenced off, a place where considerable dumping had occurred. The new use will end this dumping and rid the neighborhood of an unwanted vacant lot.

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

The "use proposed" is single family residential R15. If used under the terms allowed under R15 it is highly unlikely that the use could create a "nuisance" or be "incompatible" with uses that are essentially the same on adjacent property.

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 site is buffered on all sides by vacant land, right of way, or significant greenspace.

The lots are very deep and will retain most of the trees. Therefore it is not logical to believe that the proposed single family use would "affect the adjoining property, general neighborhood and other uses in the area" in any negative way. It is likely that the development of this currently vacant lot will decrease the trash in the neighborhood and rid the street of an "attractive nuisance".

The applicant believes the development will be a "positive" impact on the street for this reason.

Deed Book 15374 Pg 541
Filed and Recorded Sep-14-2016 07:56am
2016-0110435
Real Estate Transfer Tax \$0.00
0332016021438

Rebecca Keaton

Rebecca Keaton
Clerk of Superior Court Cobb Cty. Ga.



Tax Deed

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE, made SEPTEMBER 06, 2016, between **THE TAX COMMISSIONER AND EX-OFFICIO SHERIFF OF COBB COUNTY, GEORGIA**, as **GRANTOR**, and **SOVEREIGN PACIFIC, LLC**, as **GRANTEE** WITNESSETH that, whereas, in obedience to writ(s) of Fieri Facias issued against MILLS DAVID & ALAN & DARREL, the taxpayer and Defendant in Fieri Facias for unpaid State, County, and applicable School taxes for the year(s) 2011, 2012, 2013, 2014, 2015, said TAX COMMISSIONER AND EX-OFFICIO SHERIFF OF COBB COUNTY, GEORGIA, did on JULY 21, 2016 levy on the within described property, serve notice, and after the same being duly advertised according to law, expose the said property, within the legal hours of sale, at public auction before the Courthouse door in Cobb County, Georgia, on SEPTEMBER 06, 2016, offering the property for sale, at which time the **GRANTEE** herein was the highest and best bidder of said property.

NOW, therefore, in consideration of the sum of Three Thousand, Five Hundred Thirty Five And 91/100 Dollars, receipt of which is hereby acknowledged, the said **GRANTOR, THE TAX COMMISSIONER AND EX-OFFICIO SHERIFF OF COBB COUNTY, GEORGIA**, does grant, bargain, sell and convey, so far as the office of **EX-OFFICIO SHERIFF OF COBB COUNTY, GEORGIA**, authorizes him, unto the said Grantee, heirs and assigns,

ALL THAT TRACT OF LAND BEING IN THE: STATE OF GEORGIA, COUNTY OF COBB, LAND LOT 349, 17TH DISTRICT, 2ND SECTION. BEING PARCELS TWO, THREE AND FOUR. LOTS 11, 12 & "RESERVED" LOT, OF GREEN HILL SUBDIVISION. AS SHOWN IN PLAT BOOK 10, PAGE 72. OR AS FURTHER DESCRIBED IN DEED BOOK 14857, PAGE 6144. BEING KNOWN AS TAX MAP & PARCEL 17034900110, COBB COUNTY, GEORGIA.

Subject to restrictions on record in the Clerk of Superior Court, Cobb County, Georgia.

TO HAVE AND HOLD the said described premises, together with all rights, members, and appurtenances thereof, and, also, all the estate, right, title, interest, claim, or demand of the said Taxpayer and Defendant in Fieri Facias, heirs and assigns, legal, equitable or otherwise whatsoever, in and to the same, unto the said **GRANTEE**, heirs and assigns, **SUBJECT to the right of redemption as provided by law.**

IN WITNESS THEREOF, said TAX COMMISSIONER AND EX-OFFICIO SHERIFF OF COBB COUNTY, GEORGIA, has set his hand and affixed his seal hereto, the day and year first above written.

SIGNED SEALED AND DELIVERED
IN THE PRESENCE OF:

Kenton A. Kelly

Witness

Jan M. Becker

Notary Public



Carla Jackson

CARLA JACKSON
Tax Commissioner and Ex-Officio
Sheriff of Cobb County, Georgia

Legal Description for the Pines at Greenridge Lots 11 & 12:

All that tract of land being in the: State of Georgia, County of Cobb, Land Lot 349, 17th District, 2nd Section. Being Parcels Two, Three, and Four. Lots 11, 12 & "RESERVED" LOT, of the Green Hill Subdivision. As shown in the PLAT Book 10, Page 72. Or As further Described in the deed book 14857, Page 6144. Being know as TAX MAP & Parcel 17034900110.



Printed: 1/10/2019

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
 Phone: 770-528-8600
 Fax: 770-528-8679

Payer:
 SOVEREIGN HOLDINGS LLC

SOVEREIGN PACIFIC LLC

Payment Date: 8/27/2018

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2018	17034900110	10/15/2018	Pay:	N/A	or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$362.98	\$0.00



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