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

www.SmyrnaGA.gov

January 20, 2021

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 0.2683Acre Tract – Parcel # 17063200850 - all that tract or parcel of land lying and being in Land Lot 632, 17th District, Cobb County, Georgia – 2791 Madison Street, Smyrna, GA. This property will be part of Ward 3.

This annexation request is scheduled for consideration at the February 1 or February 15, 2021 Mayor and Council 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,

Seather F. Dacon-Corn
Heather K. Peacon-Corn

City Clerk

Enclosures

City of Smyrna

ORDINANCE ANNEXING PROPERTY INTO THE CITY OF SMYRNA

Ordinance Number: 2021-03
Land Lot: 632
Parcel # 17063200850
Acres Approximately 0.2683 acres

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 1st day of February 1 2021.

	CITY SEAL:
Derek Norton, Mayor	CITT BEATS.
ATTEST:	
Heather K. Peacon-Corn, City Clerk City of Smyrna	
Scott Cochran, City Attorney	

Parcel ID# 17063200850

City of Smyrna - Annexation Application Form Check List

Using this checklist as a guide, please review application materials with applicant or representative before accepting application.

1. APPL	ICATION FORM
<u> </u>	Correct Application Form Used (for 60% method or 100% method as applicable)
	Original form with original signature(s), address(es) and telephone number(s) obtained
	Check to make certain all signatures can be read. If signature(s) is/are illegible, make certain the applicant names are typed or legibly printed near the corresponding signature. (the notation "L.S." on the form stands for <i>legal signature</i>)
	All legal owners of the property have signed the application form
2. LEGA	L DESCRIPTION
	Legal description of the subject property accompanies application
	Ask the applicant or representative if an electronic copy of the legal description is available; if so, make arrangements for the electronic information to be furnished to either the Community Development Department or City Clerk's Office
3. SECTI	ON 5 VOTING RIGHTS ACT QUESTIONNAIRE
	Completed Section 5 Voting Rights Act Questionnaire accompanies application
4. MAP O	OF PROPERTY TO BE ANNEXED
	A tax plat, map or other graphic representation of the subject parcel(s) accompanies the application
I have reviewed have found the	ed the annexation application with the applicant(s) and/or representative(s) and e submitted paperwork to be complete and in good order.
1/3	1/13/24
City staff men	nber signature Date

This completed form should accompany annexation application materials submitted to the City Clerk's office.

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, TH	E UNDERSIGNED HER	REBY APPLY FOR SUCH A	NNEXATION.
61 -	(Joint yen	rests with 13ht	
Owner's Printed Na	ne cholick	Owner's Printed Name	orrison
10 Trunt DR	, SE 404-	10 Trent DR. SE	
Address	<u> (4 入 </u>	Address	Telephone#
			1 otopiio iion
Witness the hands ar	d seals of 100% of the re	ecord title holders of the land	described above:
(V_1, I)	110	()	/
× Shouta	fulat	Owner's Legal Signature/I	DUBON 1/13/2021
Owacr's Legal Signa	1/13/2021	Gwner's Legal Signature(1	Date
	. ,	1/	

EXHIBIT "A"

2791 Madison Street - Legal Description

Property Line Description

All that tract or parcel of land lying and being in Land Lot 632 of the 17th District, Cobb County, Georgia, and being more particularly described as follows:

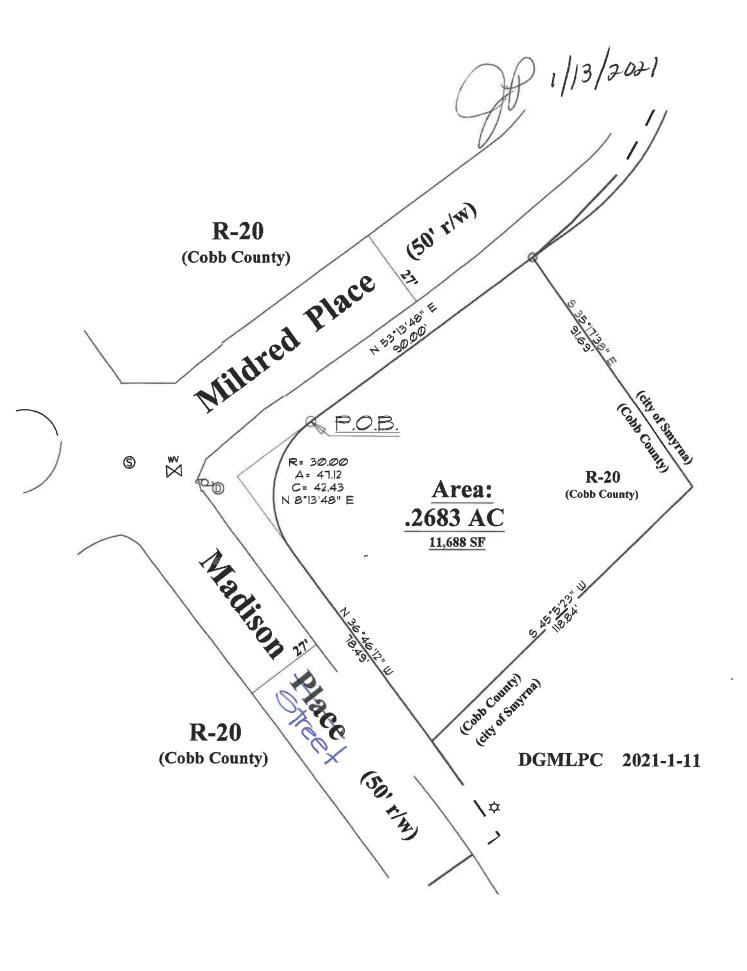
Beginning at the intersection of the northeasterly right of way of Madison Street and the southeasterly right of way of Mildred Place (if said street lines were extended to form an angle instead of a curve). Thence north 53 degrees, 13 minutes, 48 seconds east, a distance of 30.0 feet to a point.

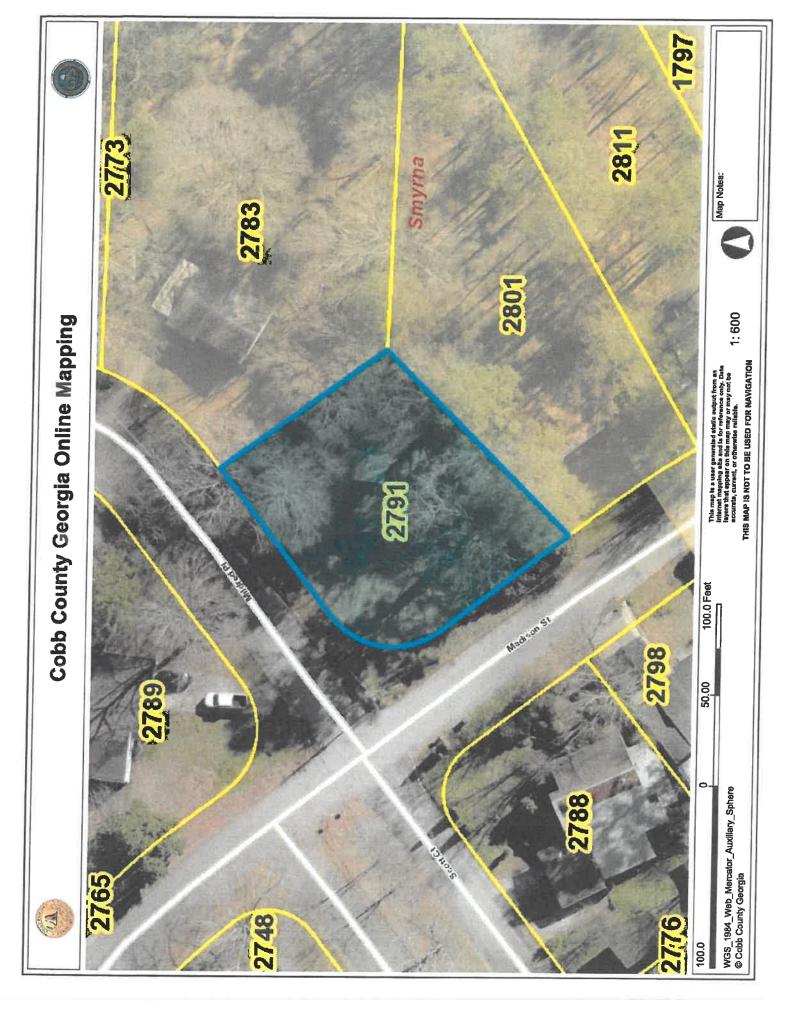
Said point being the POINT OF BEGINNING;

thence north 53 degrees 13 minutes 48 seconds east, a distance of 90.0 feet; thence south 35 degree 17 minutes 38 seconds east, a distance of 91.69 feet; thence south 45 degrees 5 minutes 23 seconds west, a distance of 118.84 feet; thence north 36 degrees 46 minutes 12 seconds west, a distance of 78.49 feet; thence northeasterly along an arc with a radius of 30.0 feet, subtended by a chord of north 8 degrees 13 minutes 48 seconds east, a length of 47.12 feet to a point.

Said point being the POINT OF BEGINNING Said tract or parcel of land contains .2683 acres.

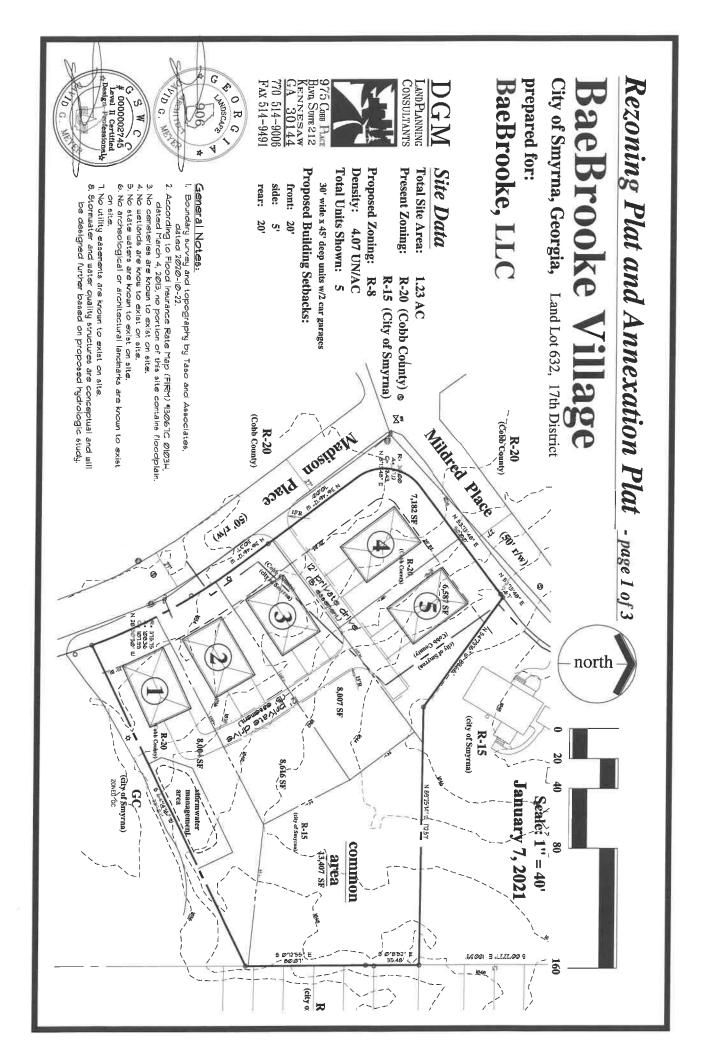
This Legal Description was prepared by DGM Land Planning Consultants, Inc. and is intended for zoning purposes only. It is not to be used for purposes of purchasing, selling, or transferring title on any property. Dated: January 11, 2021





2020 SUBMISSION UNDER SECTION 5 OF THE VOTING RIGHTS ACT FOR THE CITY OF SMYRNA, GEORGIA

Map	Designation# LL/Parcel#_ 632
City	Ward#3 Census Tract#3 , 0&
Copie Exhib	es of annexation ordinance (council meeting minutes) are attached, marked: it
Respo	P.O. Box 1226 Smyrna, GA 30081 Telephone (770) 434-6600
INFO	SECTION TO BE COMPLETED BY APPLICANT. PLEASE BE SURE THIS RMATION IS ACCURATE – IT WILL BE USED TO ESTABLISH EMERGENCY ICE THROUGH OUR 911 SYSTEM.
1.	Is the property to be annexed vacant? Yes[No []
2.	If NO, name of resident(s):
3.4.	Complete street address: Z79 MADISONSREST SE Telephone Number 404-717-7127 MADISONSREST SE Telephone Number 404-717-7127 MADISONSREST SE
5.	Number of registered voters before annexation:
	Number and type of minorities or minority language groups:
6.	Number of registered voters after annexation:
	Number and type of minorities or minority language groups:
7.	Use of property before annexation (i.e., vacant, business, residential):
8.	Zoning classification before annexation: CBB COLOTY R-ZO
9,	Use of property after annexation (i.e., vacant, business, residential). If residential, please state proposed number of dwelling units:
10.	Zoning classification being requested (if any):
11.	Effect of change on members of racial or minority groups:
12.	Total number of acres being annexed: 0.26 8 3





WATER/SEWER AVAILABILITY

To whom this concern,

The City of Smyrna has determined that Water and Sewer are available to the proposed development.

Sanitary sewer is available to the proposed development at 2783 Mildred PI,2791 Madison St,2801 Madison St, and 2811 Madison St. The sanitary sewer runs along the front of all properties. The developer is responsible for installing all taps. Existing sewer taps will be used where possible.

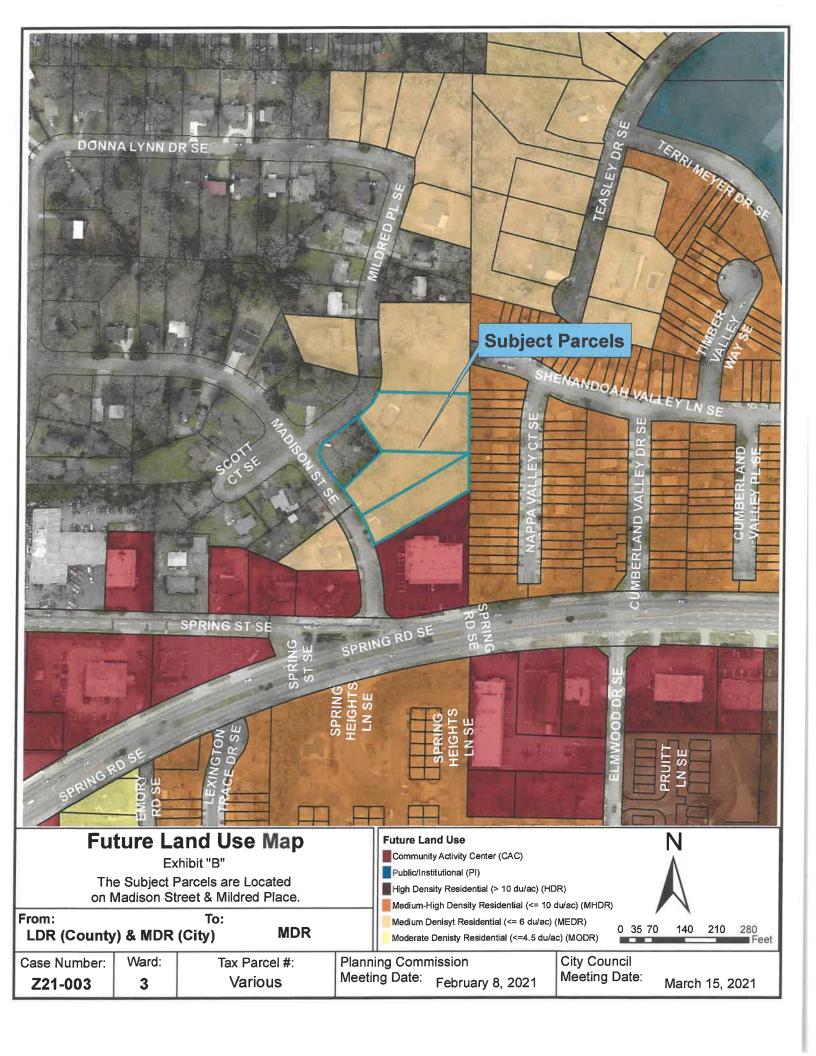
Water is available to the proposed development at 2783 Mildred Pl,2791 Madison st,2801 Madison, and 2811 Madison. The water line runs along the front of all properties. Existing water taps will be used when possible.

Elevations are the responsibility of the developer for parcel ID# 17063200860,17063200850,17063200840, and 17063200830

Sincerely,

Jason Winters

Water and Sewer



APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

	(To be completed by City) Ward:
	Application No: $221-003$
1	Hearing Date:
APPLICANT: BARBROOK, LLC	
Name: (Representative's name, printed)	
Address: SUME 12-314 1635 OD	HIGHLAN 41
Business Phone: 770 514 Cell Phone: 770 891 Fa	x Number:
E-Mail Address:	SMLPC. COM
Signature of Representative:	
	1/07/2021
TITLEHOLDER BASEPOOKS LLC, = TUR	niflita.holirk
Name: Steward Particle (Titleholder's name, printed)	5204
Address: DTREAT DRIVE SE	ROLLE GROBALA
Business Phone: 127 Cell Phone: 127 Home	30161 Phone:
E-mail Address: STEVEN - PACHOLICK	BHOTHAIL. CODI
Signature of Titleholder: (Attach additional signatures, if	01/102/
(To be completed by City)	
Received: \ \(\ \ \ \ \ \ \ \ \ \ \ \ \	
Heard by P&Z Board:	
P&Z Recommendation:	
Advertised:	
Posted:	
Approved/Denied:	

(Council's Decision:	
	(To be completed by City) Recommendation of Planning Commission:	_
	1/2	
	We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are now there are such assets. If any, they are as follows:	
2	Size of Tract 1.23 AC Location 2.793 HILDRED PLANE 3 2801 HID SON (Street address is required. If not applicable, please provide nearest intersection, etc.) 51	855
	From LDR (SMYRIA) From LDR (SMYRIA) To MDR (SMYRIA) Proposed Land Use Proposed Land Use	
	From R-20 (OBB CO) Present Zoning to R-B (Styrke) Proposed Zoning	
ø	17063200850 317063200848 217063200850 417063200830	

CONTIGUOUS ZONING
North: R-15 (SMYRLL)
East: POTD (SMYPNA)
South: R-15 (SNAME)
West: R-20 (COBB)
CONTIGUOUS LAND USE
North: MDR (SHYRNA)
East: MDR (SHYRILL)
South: MDR (SKH/RNZ)
West: LDR (COBR)

INFRASTRUCTURE

WATER AND SEWER

Comments:

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.

LINE FOLDES
TRANSPORTATION
Access to Property? HOLD LAND FOR STREET THE HOLD THE STREET THE HOLD THE STREET THE ST
Comments:

1

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?
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?
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, ather, brother, sister, son, or daughter who has any interest as described above?
If so, describe the relationship and the nature and extent of such interest:
1/51
If the promote to any of the character (SVer), then the Mercan and a great control of the City of the
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 7 day of January
We certify that the foregoing information is true and correct, this day of 2021
ACCOUNTY OF THE PROPERTY OF TH
(Applicant's Signature)
(Attorney's Signature, if applicable)
(Attorney Signature, It applicance)

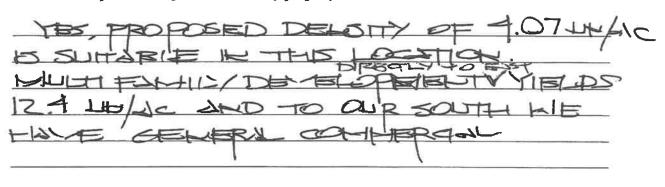
Notes

- * 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.

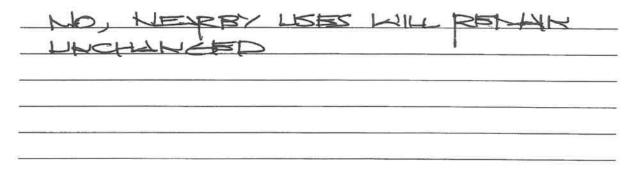
REZONING ANALYSIS

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.



2. Whether the zoning proposal or the use proposed will adversely affect the existing use or 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.

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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, WE SEE ADDING FOR 2

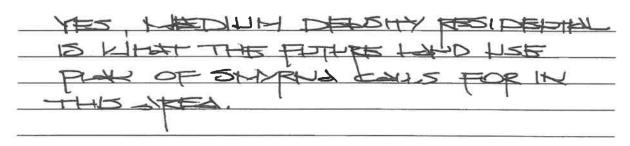
MORE HOWED THAN MAHAT HOUD

PREMIABLY HAVE BEEN THERE

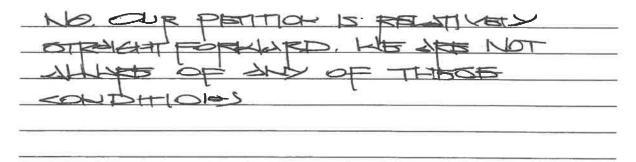
OTHERS SCHOOLS, AND TEMPORATION

FACHETIES ARE SUFFICIENT.

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



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.

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JARY CRAEDING SIME HONES WITH
ATTRACTIVE ARCHITECTURE AND A COLONON
AREA FOR MEICHBORHOOD
- Planes

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

NO, THE IS SIL	L 2 1855	りのカゴメト
NO, THE IS SIL	POTHING	INCOMPANIES
STORT IT.		1

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.

FROMMEY. NEW HOMES KITH STERME
PROMINEY, NEW HOLES KITH STERMED
HER OF SPECIALLY STREET GOOD
PROPUCTIVE FEOTIS.

Tree Survey and Protection Plan - page 3 of 3

BaeBrooke Village

City of Smyrna, Georgia, Land Lot 632, 17th District

prepared for:

BaeBrooke, LLC



DGM

Net Site Area = 1.23 AC Site Area Calculation:

Tree Density Calculation: 1.23 AC x 100"/AC = 123 Total Inches Required

EDF + RDF = SDF



NOTE:
CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT (770) 319-5387 TO ARRANGE A PRECONSTRUCTION CONFERENCE PRIOR TO ANY LAND DISTURBANCE. NO PERMIT SHALL BE ISSUED UNTIL PLANS ARE APPROVED AND AN ON-SITEINSPECTION WITH CITY REPRESENTATIVE OCCURS.

ALL TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO GRADING OR THE REMOVAL OF IMPERVIOUS SURFACES OR STRUCTURES.

BUFFERS SHALL BE REPLANTED SUBJECT TO COMMUNITY DEVELOPMENT DEPARTMENT



 $\overline{\mathrm{EDF}} = 107'' \ (107'' \ of \ non-specimens + 0'' \ of \ specimens \ preserved)$ $\overline{\mathrm{RDF}} = 32'' \ (8 \times 4'' \ cal. \ street \ trees = 32'' + additional \ trees \ added$

KENNESAW GA 30144 BLVD, SUITE 212 75 Cobb Place

770 514-9006 Fax 514-9491

Street Tree Requirement:

Specimen Tree Recompense Calculation: No specimen trees are believed to exist on site.

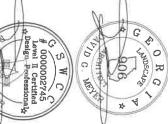
therefore density is satisfied elsewhere on site) 107" + 32" = 139" SDF

ORG

be placed at every viable and appropriate location possible. The 8 (32") will be counted to satisfy density requirements. 8 trees +- will be required per the street tree requirement

A total of 8 x 4" caliper trees will be provided. Street trees will

Preserved Non Specimen Tree Inches



Number

(in inches) Tree Size DBH

Tree Species

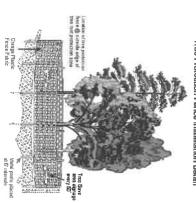
22 Live Oak

Total Inches:

107

Tree Protection for Non-Specimen Trees

Tree Protection Fence Installation Detail



*specimen tree protection requires orange polyethylene fence be replaced with chain link fence.

23 Live Oak 23 Live Oak

23 Live Oak 16 Live Oak

City of Smyrna Required Notes:

- 1. All existing trees, specimen and aun-specimen, counted for EDF creality must be fully preserved during individual to permitting.

 2. All trees must be phanted at least 10 from any utility line.

 2. All rees must be phanted at least 10 from any utility line.

 2. Tree save fence for entire site amust be installed, imspected and approved prior to installation of erosion control measures. No hand disturbance or themoliton, it allowed before trees were fencing has been inspected and approved before trees were fencing has been inspected and

January 7, 2021

north

- approved by Community Development Director.

 A The CRZ of Specimen trea receiving a 3X credit shall be protected with 6' chain link tree save fencing spaced 6' on center with metal support poets and Tree Save algonge. Insulabilition of tree save fence will involve no trenching, 4" of organic mulch over the CRZ and an above ground irrigation system.
- The Community Development Director must inspect the site before installation of erosion control measures. Land disturbance without a site inspection and approval by the Community Development Director will result in a "Stop-Work Order" and

revised plans are approved and processed based on accurate information. If tree survey inaccuracies are found on-site, a stop work order will be issued

- issuance of a Certificate of Occupancy. The Community Development Director must inspect and approve the site before
- 8. Trees agreed upon to be saved is the responsibility of the owner.
- be applied prior to start of construction. Keep mulch at least 5" from the trunk of 9. A 3-4" layer of mulch will be required for the CRZ of Specimen Trees. Mulch

10. A minimum 3-4" layer of mulch will be required for all existing, non specimen, Mulch shall not be placed directly against tree trunks. ncluding street trees and parking lot trees. Muich must be applied prior to start of

11. All newly planted trees shall have visible root flares at finished grade. No circling roots shall be out and removed prior to backfill. illowed on planted trees. The upper 2/3 of the wire basket, all burlap, and

16. All tree guys and stakes shall be removed from tree one year after planting or

RRIGATION NO TRENCHING ALLOWED IN TREE SAVE AREAS-INCLUDING

A PRECONSTRUCTION CONFERENCE PRIOR TO ANY LAND DISTURBANCE. NO PERMIT
SHALL BE ISSUED UNTIL PLANS ARE APPROVED AND AN ON-CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT (770) 319-5397 TO ARRANGE CITY REPRESENTATIVE OCCURS

ALL TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO GRADING OR THE REMOVAL OF IMPERVIOUS SURFACES OR STRUCTURES

DEPARTMENT APPROVAL BUFFERS SHALL BE REPLANTED SUBJECT TO COMMUNITY DEVELOPMENT



