

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 3

Application No: Z16-001

Hearing Date: 2/15/16

APPLICANT: Habitat for Humanity of Northwest Metro Atlanta, Inc.

Name: David H. McGinnis, President
(Representative's name, printed)

Address: 1625 Spring Road Smyrna, Ga.

Business Phone: 770-432-7954 Cell Phone: 678-294-6250 Fax Number: 770-431-4822

E-Mail Address: dmcginnis@nwmetroatlantahabitat.org

Signature of Representative: David H. McGinnis, President

TITLEHOLDER

Name: Circle W. Construction Co. Inc / Mr. William A. Wills, President
(Titleholder's name, printed)

Address: 613 Club Lane Marietta, Georgia 30067

Business Phone: 678-873-1860 Cell Phone: _____ Home Phone: _____

E-mail Address: L.WILLS2@AOL.COM

Signature of Titleholder: J. C. Wills
(Attach additional signatures, if needed)

(To be completed by City)

Received: 12/3/15

Heard by P&Z Board: 1/11/16

P&Z Recommendation: _____

Advertised: _____

Posted: 12/27/15

Approved/Denied: _____

ZONING REQUEST

From R-15 to R-12 Conditional
Present Zoning **Proposed Zoning**

LAND USE

From Vacant Lot to Two (2) Single Family Residential Lots
Present Land Use **Proposed Land Use**

For the Purpose of Two Fee Simple Homes

Size of Tract .063 acres

Location 2580 Bates Street Smyrna

(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 664 District 17th

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are **NO** such assets. If any, they are as follows:

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: _____ R-12 _____

East: _____ Street – R-12 _____

South: _____ R-15 _____

West: _____ R-20 (County) & RM-12 _____

CONTIGUOUS LAND USE

North: __ Fee Simple Residential Detached Houses _____

East: __ Fee Simple Residential Detached Houses _____

South: __ Fee Simple Residential Detached Houses _____

West: __ Fee Simple Residential Detached Houses _____

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:

See Attached Letter

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TRANSPORTATION

Access to Property? Spring Road and existing City Streets

Improvements proposed by developer? Two (2) residential building lots with 13,763 square feet in each lot.

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:

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:

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 3rd day of December, 20 15.

(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 zoning request will be a use suitable and compatible to the adjacent and nearby properties. _____

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 will not adversely affect the existing use or usability of adjacent or nearby properties. _____

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

The proposed zoning will enhance the economic use of the property.

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

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

YES

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.

NONE

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 proposed zoning will conform to and enhance the neighborhood standards and land use.

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 zoning will comply and be compatible with the existing community.

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 two proposed houses will comply and complement the adjoining properties and neighborhood. **See Attached House Plans**



CITY OF SMYRNA

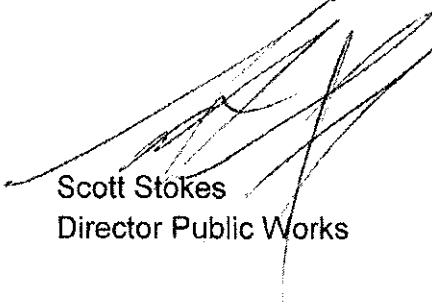
2800 King Street / P.O. Box 1226, Smyrna, Georgia 30081

(770) 434-6600 / www.smyrnacity.com

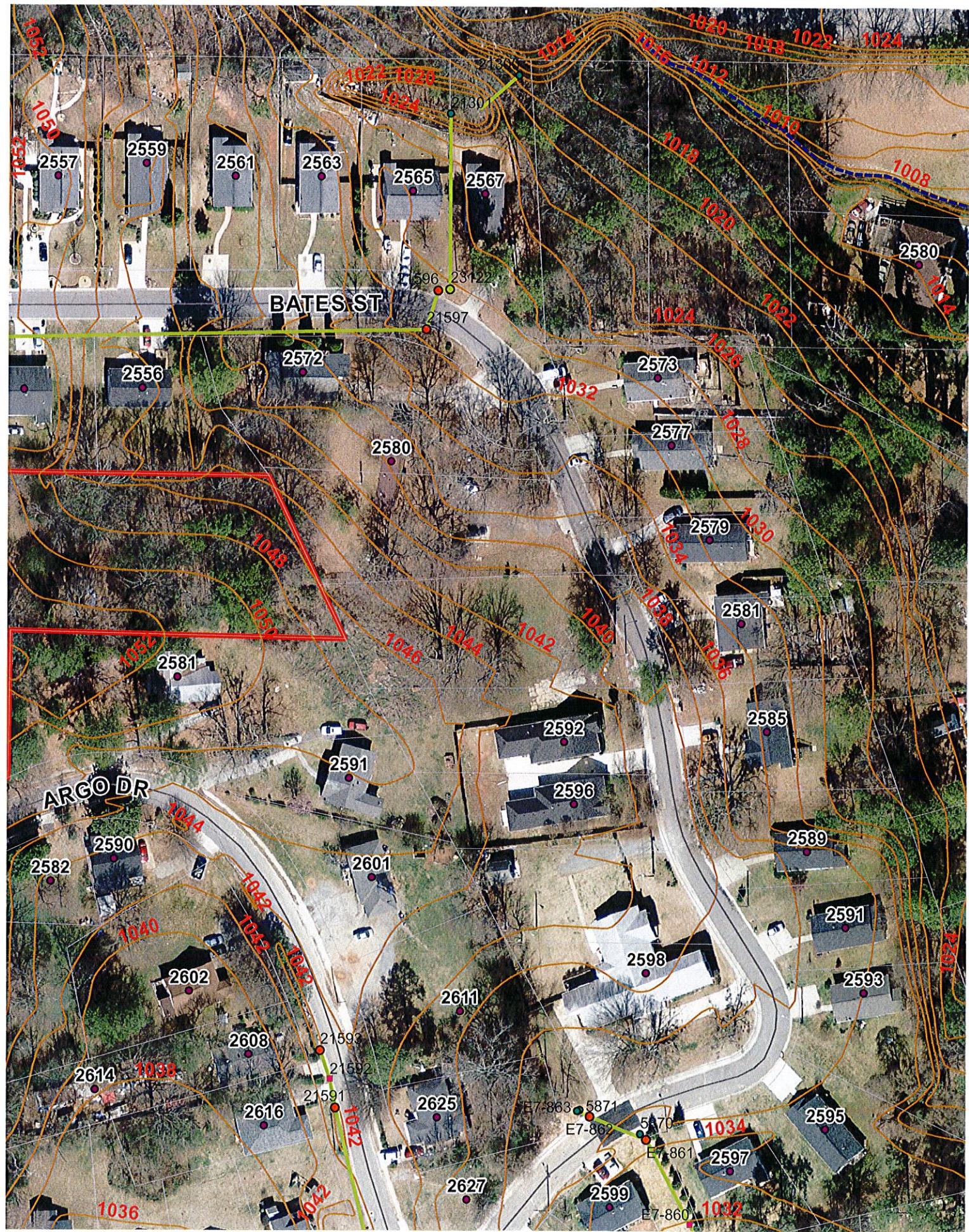
CITY OF SMYRNA

WATER AND SEWER AVAILABILITY

The City of Smyrna has determined that water and sanitary sewer are available to the proposed development. Water is located on the opposite side of the street and sanitary sewer is located in the street. Existing water and sewer taps shall be used where possible. Any taps to be abandoned will require the developer to abandon the water service at the water main and cap the sewer service at the back of the curb. The developer is required to install any sewer or water taps. Elevations are the responsibility of the developer. This information is based upon a proposed lot split titled Habitat For Humanity, 2580 Bates Street by Larry Neese, PLS 11/9/15.

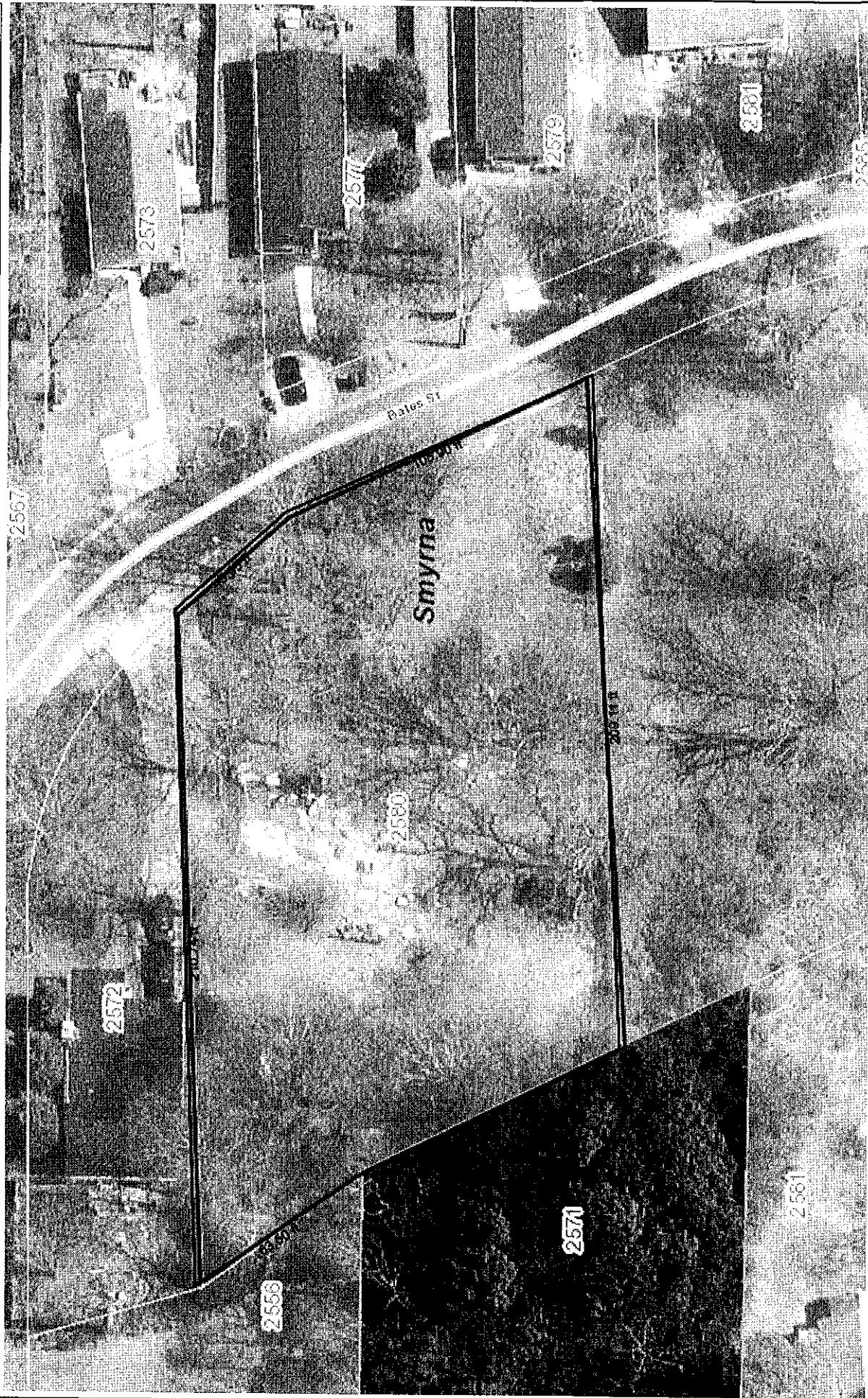

Scott Stokes
Director Public Works

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CITY COUNCIL							
WARD 1 MELLENY PRITCHETT	WARD 2 ANDREA BLUSTEIN	WARD 3 TERI ANULIEWICZ	WARD 4 CHARLES A. WELCH	WARD 5 SUSAN WILKINSON	WARD 6 WADE LHENICKA	WARD 7 RON FENNEL	
CITY ADMINISTRATOR ERIC TAYLOR	CITY CLERK TERRI GRAHAM	CITY ATTORNEY SCOTTA. COCHRAN	MUNICIPAL COURT JUDGE E. ALTON CURTIS, JR.				





Cobb County Georgia Online Mapping



WGS_1984_Web_Mercator_
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0 0.01 0.0 Miles

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Map Notes:

1-601