

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 3

Application No: 221-003

Hearing Date: _____

APPLICANT: BUEBROOK, LLC

Name: DAVID G MEYER
(Representative's name, printed)

Address: SUNE 12-314, 1635 OLD HIGHWAY 41,
KENNESAW, GA 30152

Business Phone: 770 514 9006 Cell Phone: 770 891 6588 Fax Number: _____

E-Mail Address: DMEYER@DGMILPC.COM

Signature of Representative: [Signature]

TITLEHOLDER BUEBROOKS LLC, = Jennifer Pacholick 1/07/2021

Name: STEVEN PACHOLICK = [Signature]
(Titleholder's name, printed)

Address: 10 TRENT DRIVE SE ROLLS, GEORGIA
404 717 404 717 30161

Business Phone: 7127 Cell Phone: 7127 Home Phone: _____

E-mail Address: STEVEN-PACHOLICK@HOTMAIL.COM

Signature of Titleholder: [Signature] 1/07/2021
(Attach additional signatures, if needed)

(To be completed by City)

Received: 1/8/21

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: _____

Approved/Denied: _____

*TAX PARCEL ID'S

1) 17063200860

3) 17063200848

2) 17063200850

4) 17063200830

ZONING REQUEST

From R-15 (SMYRNA)
R-20 (COBB CO)
Present Zoning

to R-8 (SMYRNA)
Proposed Zoning

LAND USE

From MDR (SMYRNA)
LDR (COBB)
Present Land Use

to MDR (SMYRNA)
Proposed Land Use

For the Purpose of SINGLE FAMILY SUBDIVISION

Size of Tract 1.23 AC

Location 1) 2783 MILDRED PLACE
2) 2791 MADISON STREET 3) 2801 MADISON STREET
4) 2811 MADISON STREET
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) (24) G32 District (24) 17TH

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

N/A

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: R-15 (SMYRNA)
East: RTD (SMYRNA)
South: R-15 (SMYRNA)
West: R-20 (COBB)

CONTIGUOUS LAND USE

North: MDR (SMYRNA)
East: MDR (SMYRNA)
South: MDR (SMYRNA)
West: LDR (COBB)

INFRASTRUCTURE

WATER AND SEWER

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.

Comments:

~~LETTER FROM FRANK MARTIN
WILL FOLLOW~~

TRANSPORTATION

Access to Property? Each of the 5 proposed
houses will ingress and egress
through a common easement on
Hudson Street. Two houses will take
middle piece and three will take Hudson
Street.

Improvements proposed by developer? _____

N/A

Comments:

N/A

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?

N/A

If so, describe the natural and extent of such interest: _____

N/A

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?

N/A

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 7th day of JANUARY 2021

Jennifer Pacholuk 1/27/2021
[Signature]

(Applicant's Signature)

[Signature]
(Attorney's Signature, if applicable)
REPRESENTATIVE

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.

YES, PROPOSED DENSITY OF 4.07 UN/A/C
IS SUITABLE IN THIS LOCATION.
MULTI FAMILY / ^{DIRECTLY TO EAST} DEVELOPMENT YIELDS
12.4 UN/A/C AND TO OUR SOUTH WE
HAVE GENERAL COMMERCIAL

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

NO, NEARBY USES WILL REMAIN
UNCHANGED

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

NO, LAND PRICES IN THIS AREA
NOW SUPPORT GREATER DENSITY

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 ARE ADDING FOR 2 MORE HOMES THAN WHAT WOULD PREVIOUSLY HAVE BEEN THERE. STREETS, SCHOOLS, AND TRANSPORTATION FACILITIES ARE SUFFICIENT.

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

YES, MEDIUM DENSITY RESIDENTIAL IS WHAT THE FUTURE LAND USE PLAN OF SMYRNA CALLS FOR IN THIS AREA.

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.

NO. OUR PETITION IS RELATIVELY STRAIGHT FORWARD. WE ARE NOT AWARE OF ANY OF THESE CONDITIONS

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 WILL BE A TREMENDOUS
ASSET TO THE COMMUNITY AND LOCAL
AREA. CRAFTSMAN STYLE HOMES WITH
ATTRACTIVE ARCHITECTURE AND A COMMON
AREA FOR NEIGHBORHOOD
GATHERINGS

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

NO, THIS IS STILL A RESIDENTIAL
USE. THERE IS NOTHING INCOMPATIBLE
ABOUT IT.

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.

POSITIVELY. NEW HOMES WITH ATTRACTIVE
ARCHITECTURE AND AN EFFICIENT
USE OF SPACE WILL ATTRACT GOOD
PRODUCTIVE PEOPLE.