

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT:

Name: Reggie Lopes
(Representative's name, printed)

Address: 3350 Riverwood Parkway SE, Suite 2220, Atlanta 30339

Business Phone: (770) 799-0345 Cell Phone: (404) 569-8113 Fax Number: _____

E-Mail Address: ReggieLopes@gmail.com

Signature of Representative: 

TITLEHOLDER

Name: CMS CUSTOM HOMES, LLC
(Titleholder's name, printed)

Address: 3350 RIVERWOOD PARKWAY, SUITE 2220 ATLANTA, GA 30339

Business Phone: 770-799-0345 ext 1 Cell Phone: _____ Home Phone: _____

E-mail Address: allen@msifamily.com

Signature of Titleholder: CMS CUSTOM HOMES, LLC BY: Allen Bryan, CFO (ALLEN BRYAN, CFO)
(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 R-20 Present Zoning to R-15 Proposed Zoning

LAND USE

From LDR / Residential R-20 Present Land Use to Residential R-15 / LDR Proposed Land Use

For the Purpose of Putting back to original two Lots.

Size of Tract .90 AC 39,383

Location 1460 Memory Lane Smyrna, GA 30080
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 557 District 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-20

East: R-20

South: R-20

West: R-20 and R-15

CONTIGUOUS LAND USE

North: LDR

East: LDR

South: LDR

West: LDR

F.Martin@ Smyrna GA. Gov.

INFRASTRUCTURE

WATER AND SEWER

Frank Martin

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:

TRANSPORTATION

Access to Property? *Memory Lane and Northview Place*

Improvements proposed by developer? *None.*

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:

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 4th day of November, 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.

Yes. We will be building two homes that will be 3800 sq ft or greater. These homes will be built out of mixed materials (Brick, Stone, Siding etc).

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

Will not adversely affect adjacent or nearby properties.

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

The affected property will have a reasonable economic use. Property taxes will be doubled for this 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.

The zoning proposal will not cause an excessive 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 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.

This property was originally two lots when developed in the 1950's. We are looking to put back the original boundaries which is in keeping with the lots that surround our property.

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 development of the property will enhance the architectural standards and aesthetics of the general neighborhood.

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 (R-15) already exist in the neighborhood with in close proximity.

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 proposed use would affect the adjoining property and general neighborhood in a positive way.