

APPLICATION FOR REZONING  
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: \_\_\_\_\_

Application No: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

**APPLICANT:** Angel Oak Homes LLC

Name: Robert C Harris

(Representative's name, printed)

Address: 1559 Gaylor Circle

Smyrna Ga 30082

Business Phone: 404-867-0051

Cell Phone: 404-867-0051

Fax Number: \_\_\_\_\_

E-Mail Address: rcharris10@yahoo.com

Signature of Representative: \_\_\_\_\_

**TITLEHOLDER**

Name: Sandra Osborne & Paula Powell

SANDRA OSBORNE & PAULA POWELL

(Titleholder's name, printed)

Address: SANDRA. 250 HICKORY ST, UNIT 6001, WOODSTOCK, GA 30188

PAULA - 579 WALNUT DR., MARIETTA, GA 30067 - PAULA

Business Phone: \_\_\_\_\_

Cell Phone: 770-363-5781

Home Phone: 404 626 2809 PAULA

E-mail Address: sandraosborne@bellsouth.net

Signature of Titleholder: x Sandra Osborne x Paula Powell

(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 Cobb County \_\_\_\_\_ to RAD City of  
Smyrna \_\_\_\_\_  
Present Zoning Proposed Zoning

**LAND USE**

From 1 single family rental home \_\_\_\_\_ to 2 single family  
lots \_\_\_\_\_

For the Purpose of New Construction

Size of Tract .52

Location 3381 Old Concord Road

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

Land Lot (s) 341 & 381 \_\_\_\_\_ 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 no such assets. If any, they are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(To be completed by City)

Recommendation of Planning Commission:

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Council's Decision:

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**CONTIGUOUS ZONING**

North: **RAD**

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East: **R-20 City of Smyrna**

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South: **R-15, GC, LC**

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West: **RAD, Neighborhood Shopping**

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**CONTIGUOUS LAND USE**

North: **Residential**

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East: **Residential**

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South: **Commercial**

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West: **Residential under development**

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**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:

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**TRANSPORTATION**

Access to Property? Old Concord Road

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Improvements proposed by developer? Access off Concord Road and Small detention pond to city standards

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Comments:

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**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?

\_\_\_\_\_ None \_\_\_\_\_

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:

\_\_\_\_\_ None \_\_\_\_\_

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 \_\_\_\_\_

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None

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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:

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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

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

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

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\_\_\_\_\_



**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 8<sup>th</sup> day of June, 2018.



(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.

Similar to recent new home developments over last 10 years

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

No, the development will produce new homes more in keeping with adjacent homes in the community.

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

The property is now inconsistent with adjacent existing and new development in the city of Smyrna.

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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.

The addition of one residential lot will not over burden city or county existing facilities.

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

The subject property is located in in the City of Smyrna medium density designated zoning area. It will have similar lot sizes to adjoining new home communities.

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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.

Approval would increase the value of the surrounding properties.

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**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.

Currently, this property is a mid 20<sup>th</sup> century rental home which is of minimal value to the adjacent homes. The proposed development homes will similar in style to the new homes in the community.

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

No, it would actually improve the window to the Old Concord Home Community.

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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 size and character of homes will be similar to the existing adjacent community,

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