

APPLICATION FOR REZONING
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: RAY'S FIVE STAR 2LL

Name: SEIRAK G KASSA
(Representative's name, printed)

Address: 1003 WILLOW HILL SMYRNA GA 30080

Business Phone: 770-432-7062 Cell Phone: 678-622-4601 Fax Number: _____

E-Mail Address: SEIRAKGT@yahoo.com

Signature of Representative: SEIRAK KASSA

TITLEHOLDER

Name: Robert & Sarah Wilder
(Titleholder's name, printed)

Address: 1986 VILLAGES BOUND NW ATLANTA GA 30064

Business Phone: _____ Cell Phone: 678-480-2705 Home Phone: 770-426-4602

E-mail Address: RHWilder@mac.com

Signature of Titleholder: [Signature] Sarah Wilder
(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 P-15 to GENERAL COMMERCIAL (GC)
Present Zoning Proposed Zoning

LAND USE

From RESIDENTIAL LOT to SHOPPING CENTER
Present Land Use Proposed Land Use

For the Purpose of LIQUOR STORE

Size of Tract (1.1 AC)

Location ON BELMONT CIRCLE, NEAR CORNER OF BELMONT CIRCLE AND ATLANTA RD
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) 491 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:

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: CONTINENTAL PROFFESIONAL BUILDING

East: TRAIN TRACK

South: CYCLE EXCHANGE AND ELECTRONICS

West: RESEDENTIAL

CONTIGUOUS LAND USE

North: LAW OFFICE

East: NEIGHBORHOOD SHOPPING

South: NEIGHBORHOOD SHOPPING

West: NEIGHBORHOOD SHOPPING

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:

TRANSPORTATION

Access to Property? CAR, WALK

Improvements proposed by developer? ONE STORY RETAIL

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:

NO

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:

NO

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:

NO

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:

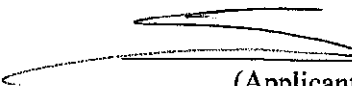
Does the Mayor or any member of the City Council or Planning and Zoning Board have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

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 13th day of DEC, 2016.


IRAK. KASSA.
(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 ZONING PROPOSAL WILL PERMIT A USE OF
LIQUOR STORE AND RETAIL SPACE.

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

NO-

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

YES, THE PROPOSED ZONING WOULD ALLOW BUILDING OF
PROFESSIONAL FACILITY WHICH IN TURN BRINGS AN
EXTRA INCOME FOR THE CITY AND CONVENIENCE TO LOCAL
RESIDENCES.

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, SINCE PROPOSED REZONING WOULD HAVE A DENTABLE
SPACE

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.

YES, THE PROPOSAL HAPPENS FOR TAKING OF 1003
AND 999 WINDY HILL RD PROPERTY BY THE CITY OF
SMYRNA.

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.

YES

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 PROPOSED ZONING WOULD HAVE SIMILAR BUSINESS.

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 WILL HAVE POSITIVE IMPACTS TO THE ADJOINING PROPERTIES. BECAUSE IT IS NEW.

Deed Book 13919 p. 6059
Filed and Recorded Jan-23-2004 03:22pm
2004-0014569
Real Estate Transfer Tax \$225.00

J.C. Stephenson
J. C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

Warranty Deed

AFTER RECORDATION RETURN TO:

SCOTT A. COCHRAN
COCHRAN, CAMP & SNIPES
2950 ATLANTA STREET, S.E.
SMYRNA, GEORGIA 30080

STATE OF GEORGIA, COUNTY OF COBB

THIS INDENTURE, Made the 15 day of January, in the year Two Thousand and Four, between FOUTS INVESTMENT COMPANY, L.P., a Georgia Limited Partnership, of the County of Cobb, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and JDF INVESTMENTS, L.P., a Georgia Limited Partnership, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successor and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of ---TEN DOLLARS & OTHER VALUABLE CONSIDERATIONS-----(\$10.00) DOLLARS in hand paid at and before the signing, sealing and delivery of these presents, the receipt and sufficiency whereof being hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

[Signature]
WITNESSES

By:

FOUTS INVESTMENT COMPANY, L.P.
a Georgia Limited Partnership

[Signature] (Seal)
C. J. FOUTS, General Partner

Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 445, 446, 491 and 492 of the 1st District, 2nd Section, Cobb County, Georgia, and being 1.721 acres as per plat of survey thereof, for C.J. Fouts and Jerry Fouts, by A. O. Carlile, Georgia Registered Surveyor No. 1468, dated May 6, 1991, and being more particularly described as follows:

BEGINNING at an iron pin at the corner formed by the intersection of the southwesterly right of Highway No. 41 W (Old Marietta-Atlanta Highway having a 50 foot right of way) with the southeasterly right of way of Belmont Place; running thence South 23 degrees 51 minutes 00 seconds East, along the southwesterly right of Highway No. 41 W, a distance of 225.5 feet to an iron pin; thence South 75 degrees 50 minutes 00 seconds West, a distance of 175.01 feet to an iron pin on the land lot line dividing Land Lots 446 and 491; thence southerly along the land lot line dividing Land Lots 446 and 491, a distance of 217 feet to an iron pin; thence North 88 degrees 22 minutes 00 seconds West, a distance of 105.01 feet to an iron pin; thence North 06 degrees 08 minutes 00 seconds West, a distance of 367.10 feet to an iron pin on the southeasterly side of the right of way of Belmont Place; thence North 65 degrees 20 minutes 00 seconds East, a distance of 234.00 feet to an iron pin on the southwesterly right of Highway No. 41W and the Point of BEGINNING.

Exhibit "A"

All that tract or parcel of land lying and being in land lot 445, 446 and 492 of the 17th District, 2nd Section, Cobb County, Georgia, and being 1.721 acres as per plat of survey thereof, for C.J. Fouts and Jerry Fouts, by A. O. Carlile, Georgia Registered Surveyor No. 1468, dated may 6, 1991 , and being more particularly described as follows:

BEGINNING at an iron pin at the corner formed by the intersection of the southwesterly right of Highway No. 41 W (Old Marietta-Atlanta Highway having a 50 foot right of way) with the southeasterly right of way of Belmont Place; running thence South 23 degrees 51 minutes 00 seconds East, along the southwesterly right of Highway No. 41 W, a distance of 225.5 feet to an iron pin; thence South 75 degrees 50 minutes 00 seconds West, a distance of 175.01 feet to an iron pin; on the land lot line dividing Land Lots 446 and 491; thence southerly along the land lot line dividing land 446 and 491, a distance of 217 feet to an iron pin; thence North 88 degrees 22 minutes 00 seconds west, a distance of 105.01 feet to an iron pin; thence North 06 degrees 08 minutes 00 seconds West, a distance of 367.10 feet to an iron pin on the southeasterly side of the right of way of Belmont Place; thence North 65 degrees 20 minutes 00 seconds East, a distance of 234.00 feet to an iron pin on the southwesterly right of Highway No. 41 W and the point of BEGINNING.



COBB COUNTY PROPERTY TAX BILL 2016
 Pay online at www.cobbtax.org or 1-866-729-2622
 See the back of this bill for more payment information

CARLA JACKSON TAX COMMISSIONER
CHELSEA MCDUFFIE CHIEF DEPUTY
 Phone: 770-528-8500
 Fax: 770-528-8679

WILDER ROBERT H & SARAH L
 2264 ATLANTA RD

YOUR PAYMENT IS DUE OCTOBER 17, 2016

Parcel ID: 17049100210 Fair Market Value: \$254,000 Assessed Value: \$101,600 Millage Rate: 0.64 City of Smyrna Homestead Exemption: None

PAID 10/17/16

Taxing Authority

State: Assessed Value: \$101,600 Exemption: \$0 Net Assessment: \$101,600 Millage Rate: 0.000000 Taxes Due: \$0.00

The Governor and General Assembly passed a tax relief act eliminating your state property tax.
 School General: Assessed Value: \$101,600 Exemption: \$0 Net Assessment: \$101,600 Millage Rate: 0.018900 Taxes Due: \$1,920.24

Levied by the Cobb County Board of Education representing approximately 73.28% of your taxes due.
 County: Assessed Value: \$101,600 Exemption: \$0 Net Assessment: \$101,600 Millage Rate: 0.000230 Taxes Due: \$23.37

Levied by the Board of Commissioners representing approximately 26.72% of your taxes due.
 County General: Assessed Value: \$101,600 Exemption: \$0 Net Assessment: \$101,600 Millage Rate: 0.008660 Taxes Due: \$876.65

County Bond: Assessed Value: \$101,600 Exemption: \$0 Net Assessment: \$101,600 Millage Rate: 0.000230 Taxes Due: \$23.37

County Fire: Assessed Value: N/A Exemption: N/A Net Assessment: N/A Millage Rate: N/A Taxes Due: N/A

Tax Year	Parcel ID	Due Date	Pay:	Appeal Amount	Total Taxes Due
2016	17049100210	10/17/2016	N/A	or	\$2,620.27



CARLA JACKSON
CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

WILDER ROBERT H & SARAH L
BELMONT CIR

COBB COUNTY PROPERTY TAX BILL 2016
Pay online at www.cobbtax.org or 1-866-729-2622
See the back of this bill for more payment information

Handwritten: Paid 8-19-16

YOUR PAYMENT IS DUE OCTOBER 17, 2016

Late Fees apply October 18, 2016

Parcel ID	Fair Market Value	Assessed Value	Average Tax District	Homestead Exemption
17044600010	\$75,000	\$30,000	1.01 City of Smyrna	None

Taxing Authority	Assessed Value	Exemption	Net Assessment	Millage Rate	Taxes Due
State	\$30,000	\$0	\$30,000	0.000000	\$0.00

The Governor and General Assembly passed a tax relief act eliminating your state property tax.

School General	\$30,000	\$0	\$30,000	0.018900	\$567.00
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Levied by the Cobb County Board of Education representing approximately 73.28% of your taxes due.

County General	\$30,000	\$0	\$30,000	0.006660	\$199.80
County Bond	\$30,000	\$0	\$30,000	0.000230	\$6.90
County Fire	N/A	N/A	N/A	N/A	N/A

Tax Year	Parcel ID	Due Date	Pay:	Appeal Amount	Total Taxes Due
2016	17044600010	10/17/2016	N/A	N/A	\$773.70

CITY OF SMYRNA
 Tax Department
 PO Box 1226
 Smyrna, GA 30081-1226
 770-434-6600
 2016 Property Tax Notice

WILDER ROBERT H & SARAH L
 1988 VILLAGE ROUND NW
 MARIETTA, GA 30064

Good 24th 1759

Please Make Check or Money Order Payable to:
 City of Smyrna Tax Department

HOMESTEAD EXEMPTIONS AVAILABLE:

- 1) \$10,000 Age sixty-two (62) or older by January 1.
- 2) \$22,000 Disabled with limited income.
- 3) As a result of the City of Smyrna Taxpayer Reassessment Relief Act, after proper application has been made, when your homestead property is reassessed your homestead exemption will automatically increase by the same amount.

If you are eligible for one of these exemptions you must apply for the exemption by April 1st in order to receive the exemption in future years.

If you are a new property owner as of January 1, you need to file a change of ownership with the Cobb County Tax Office by April 1st.

2016 City of Smyrna Property Tax Notice

Bill No.	Property Description	Map Number	Fair Mkt Value	Assessed Value	Exempt Value	Taxable Value	Millage Rate	Tax Amount
17241	2284 ATLANTA RD	17-0491-0-0210	254,000	101,600		101,600	0.000000	013.38

Pay online at <http://portal.smyrna.ga.gov/MSS/citizens/default.aspx>

Important Messages - Please Read

Taxes not paid by the due date are subject to a 5% penalty after 120 days with an additional 5% assessed after each successive 120 days up to a maximum of 20% of the principal due. In addition, interest will be assessed based on an annual calculation of the Federal Prime Rate plus 3%. This interest rate is changed per month based on the principal due. FICA charges are a one-time charge of \$25.00

Any questions concerning payment instructions, ownership, or mailing address changes should be directed to The City of Smyrna Tax Department at 770-434-6600

If there is a question concerning the assessment of your property, please contact the Cobb County Tax Assessor's Office at 770-528-3100

Total of Bills by Tax Type

Pen	0.00
Int	0.00
Fees	0.00
Adjustments	0.00
Payments	0.00
Back Taxes	0.00
TOTAL DUE	013.38
DATE DUE	11/15/2016

PLEASE DETACH HERE AND RETURN THIS PORTION WITH YOUR CHECK

CITY OF SMYRNA
 Tax Department
 PO Box 1226
 Smyrna, GA 30081-1226
 770-434-6800
 2018 Property Tax Notice

WILDER ROBERT H & SARAH L
 1986 VILLAGE ROUND NW
 MARIETTA, GA 30064

PAID
4/11/16
17700

Please Make Check or Money Order Payable to:
 City of Smyrna Tax Department

HOMESTEAD EXEMPTIONS AVAILABLE:

- 1) \$10,000 Age sixty-two (62) or older by January 1.
- 2) \$22,000 Disabled with limited income.
- 3) As a result of the City of Smyrna taxpayer Reassessment Relief Act, after proper application has been made, when your homestead property is reassessed your homestead exemption will automatically increase by the same amount.

If you are eligible for one of these exemptions you must apply for the exemption by April 1st in order to receive the exemption in future years.

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2016 City of Smyrna Property Tax Notice

Bill No.	Property Description	Map Number	Fair Mkt Value	Assessed Value	Exempt Value	Taxable Value	Millage Rate	Tax Amount
17240	BELMONT CIR	17-0448-9-0010	75,000	30,000		30,000	8.960000	268.70

Pay online at <http://portal.smyrnaga.gov/MSS/citizens/default.aspx>

Important Messages - Please Read

Taxes not paid by the due date are subject to a 5% penalty after 120 days with an additional 5% assessed after each successive 120 days up to a maximum of 20% of the principal due. In addition, interest will be assessed based on an annual calculation of the Federal Prime Rate plus 3%. This interest rate is charged per month based on the principal due. FICA charges are a one-time charge of \$25.00

Any questions concerning payment instructions, ownership, or mailing address changes should be directed to The City of Smyrna Tax Department at 770-434-6800

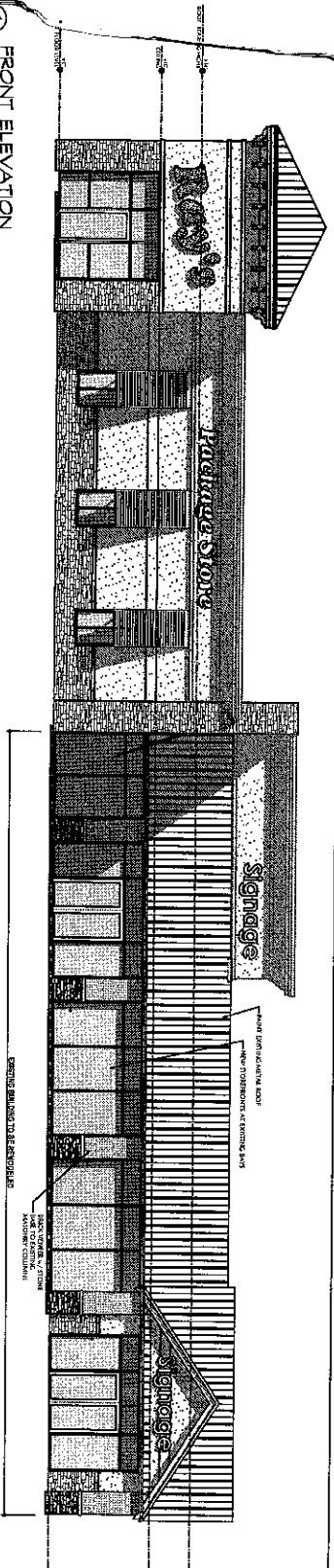
If there is a question concerning the assessment of your property, please contact the Cobb County Tax Assessor's Office at 770-526-3109

Total of Bills by Tax Type

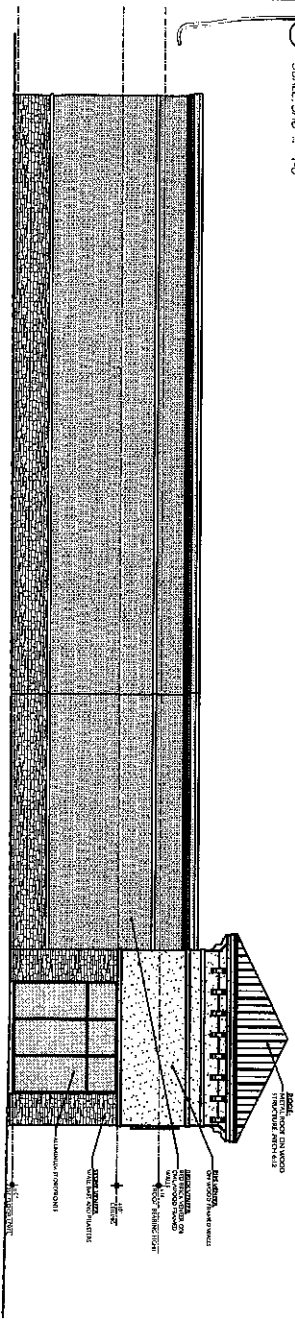
Pen	0.00
Int	0.00
Fees	0.00
Adjustments	0.00
Payments	0.00
Back Taxes	0.00
TOTAL DUE	268.70
DATE DUE	11/15/2016

PLEASE DETACH HERE AND RETURN THIS PORTION WITH YOUR CHECK

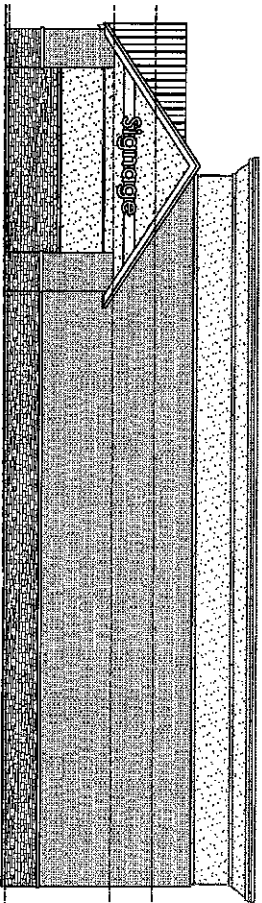
① FRONT ELEVATION
SCALE 3/16" = 1'-0"



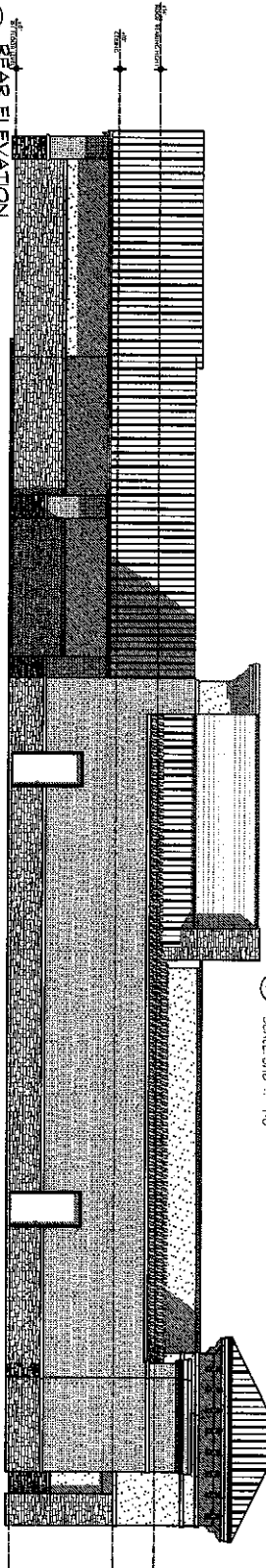
② LEFT SIDE ELEVATION
SCALE 3/16" = 1'-0"



③ RIGHT SIDE ELEVATION
SCALE 3/16" = 1'-0"



④ REAR ELEVATION
SCALE 3/16" = 1'-0"



ELEVATIONS
NOT FOR CONSTRUCTION

Drawn By
KS

KSI
design group, llc
ARCHITECTURE
SPACE PLANNING

228 GLENWOOD DR
SMYRNA, GA 30080
Phone: (678) 334-7199
ksidesign@outlook.com



DATE	REVISION

DAYS PACKAGE STORE
PROPOSED OFFICE BUILDING

2264 ATLANTA ROAD SMYRNA, COBB COUNTY GA
24Hr. Contact Person: SIRAK KASSA
(678) 622-4601, SIRAKGT@YAHOO.COM

Sheet
A-3.1
Date
OCTOBER 9th 2014
Job No.
48-2016