

APPLICATION FOR REZONING
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 6

Application No: 217-004

Hearing Date: 4/11/17

APPLICANT: Blastoff Construction, Inc.

Name: Frank L. Turner
(Representative's name, printed)

Address: 4536A Nelson Brogdon Blvd. Sugar Hill, GA 30518

Business Phone: 1-800-298-4046 Cell Phone: 404-307-1199 Fax Number: 770-932-3865

E-Mail Address: frank@franklturner.com

Signature of Representative: [Signature], Frank L. Turner

TITLEHOLDER

Name: Oral Ceramics Dental Studio
(Titleholder's name, printed)

Address: 3080 Jonquil Dr. Ste B Smyrna, GA 30080

Business Phone: 770-438-8880 Cell Phone: 404-867-2872 Home Phone: _____

E-mail Address: randy@oralceramics.com

Signature of Titleholder: [Signature], Randall Freeman
(Attach additional signatures, if needed)

(To be completed by City)

Received: 2/10/17

Heard by P&Z Board: 3/13/17

P&Z Recommendation: _____

Advertised: _____

Posted: 2/21/17

Approved/Denied: _____

ZONING REQUEST

From NS (Neighborhood Shopping) to GC (General Commercial)
Present Zoning Proposed Zoning

LAND USE

From Vacant to Commercial (Neighborhood Activity Center)
Present Land Use Proposed Land Use

For the Purpose of Daycare & Oil Change Facility

Size of Tract 2.244 Acres

Location 4390 S. Cobb Drive

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

Land Lot (s) 604/621 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:

None Exist

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: NRC
East: NRC
South: GC / FST
West: FST

CONTIGUOUS LAND USE

North: Commercial
East: Commercial
South: Commercial / Residential Multi-Family
West: Commercial / Residential Multi-Family

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 from Tim Davidson w/
Cobb County. Site is not served by City of
Smyrna

TRANSPORTATION

Access to Property?

South Cobb Drive - Access
governed by GDOT District 7 - Chamblee Office
Preliminary submittal has been made to
Mr. Bryan Carter with the GDOT

Improvements proposed by developer?

Sidewalks along frontage of
South Cobb Drive and connecting to property

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: 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?

NO

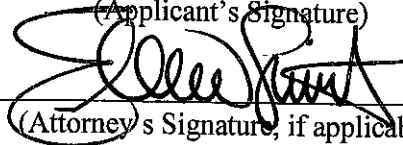
If so, describe the relationship and the nature and extent of such interest:

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 3rd day of April, 2017.

(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.

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:

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?

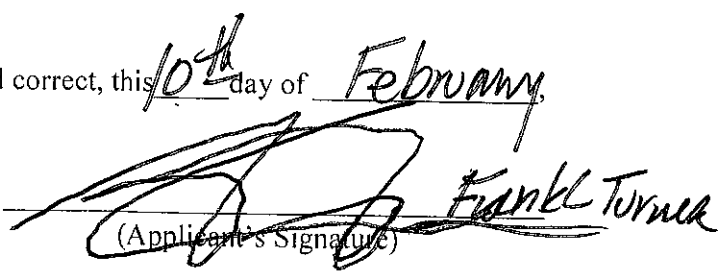
No

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 10th day of February, 2017.


(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 uses are in agreement with the existing uses along South Cobb. The proposed oil change is adjacent to an existing convenience store. The

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

The adjacent properties will not be adversely impacted as the previously approved plan is more involved; (i.e. more impervious area and development than what is proposed herein.)

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

As currently zoned the economic use is minimized. In 2007, this property was rezoned to NS. Since that time, no development has occurred. A zoning of GC would give a more reasonable economical use.

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 proposed site is already zoned NS and a site plan was approved some time ago. The revised plan is less intense and therefore will lessen the impact to streets, utilities and schools.

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

The proposal conforms w/ the Future Land Use Map, in that both use conform to that of a Neighborhood Activity Center.

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 proposed plan is of less on an impact than what was previously approved in 2007. There is less impervious area and less traffic will be generated.

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 as proposed will be in conformance with the aesthetics of the commercial corridor along S. Cobb Drive. Please see enclosed architectural elevations.

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

The development is in conformance with the adjacent uses. The hours of operation will not create a nuisance.

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.

Finally, the size of the overall development is significantly less than what was previously approved; both in land area, building size and height.

J.C. Stephenson

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

After recording, please return to:
Hensel J. Smith
SMITH, EUBANKS, SMITH & TUMLIN, P.C.
P.O. Box 1186
Marietta, Georgia 30061

STATE OF GEORGIA
COUNTY OF COBB

QUITCLAIM DEED

THIS INDENTURE, made this 8th day of May, 2003, by and between **ROBERT PORTER CAMPBELL**, as Trustee Under Item VI, **MELVIN P. CAMPBELL, a/k/a M. PORTER CAMPBELL** Testamentary Trust (hereinafter referred to as "Grantor"), and **ORAL CERAMICS DENTAL STUDIO, INC., a Delaware corporation** (hereinafter referred to as "Grantee");

WITNESSETH, FOR AND IN CONSIDERATION of the sum of One Dollar and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, the Grantor has and hereby does remise, release, convey and forever quitclaim unto Grantee, their heirs and assigns, that certain property known as:

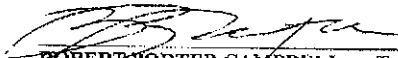
See Exhibit "A" attached hereto and made a part hereof by reference.

This conveyance is made subject to all easements and restrictions of record.

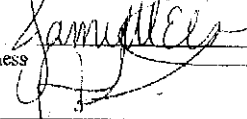
TO HAVE AND TO HOLD said tract or parcel of land in order that neither the Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

(1)

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

 (SEAL)
ROBERT PORTER CAMPBELL, as Trustee
Under Item VI, MELVIN P. CAMPBELL, a/k/a
M. PORTER CAMPBELL Testamentary Trust

Signed, sealed and delivered
in the presence of:

Witness 

Notary Public exp. 5-22-04

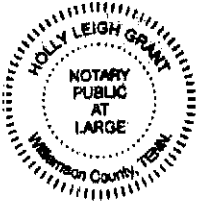


EXHIBIT A

All that tract or parcel of land lying and being in Land Lots 604 and 621, of the 17th District, 2nd Section of Cobb County, Georgia, part in the City of Smyrna, having an area of 2.2440 acres, as shown on that certain plat of survey prepared by James A. Evans, Jr., Ga. Registered Land Surveyor No. 2167, J. A. Evans & Associates, dated 2-21-2003, and more particularly described as follows:

TO FIND THE POINT OF BEGINNING begin at an iron pin located at the intersection of the southeast right of way of Cooper Lake Road (right of way varies) with the southwest right of way of South Cobb Drive (200 foot right of way); running thence along the right of way of South Cobb Drive in a southeasterly direction along a curve to the left, an arc distance of 203.60 feet, (said arc subtended by a chord bearing of south 43 degrees, 37 minutes, 29 seconds east, a chord distance of 203.59 feet, and a radius of 5938.60 feet) to an iron pin found and the **POINT OF BEGINNING**; continuing thence along said right of way along a curve to the left an arc distance of 287.38 feet, (said arc subtended by a chord bearing of south 45 degrees, 59 minutes, 36 seconds east, a chord distance of 287.35 feet, and a radius of 5938.60 feet) to an iron pin and corner; running thence south 24 degrees, 19 minutes, 36 seconds west, a distance of 139.19 feet to an iron pin and corner; running thence north 84 degrees, 11 minutes, 35 seconds west, a distance of 319.71 feet to an iron pin and corner; running thence north 00 degrees, 04 minutes, 46 seconds east, a distance of 227.33 feet to an iron pin and corner; running thence south 58 degrees, 41 minutes, 08 seconds west, a distance of 79.71 feet to an iron pin and corner; running thence north 27 degrees, 02 minutes, 00 seconds west, a distance of 192.82 feet to an iron pin and corner on southeast right of way of Cooper Lake Road; running thence along said right of way north 65 degrees, 27 minutes, 57 seconds east, a distance of 28.03 feet to an iron pin and corner; running thence south 45 degrees, 49 minutes, 56 seconds east, a distance of 181.49 feet to an iron pin and corner; running thence north 65 degrees, 28 minutes, 10 seconds east, a distance of 165.47 feet to an iron pin and the point of beginning.



Printed: 2/10/2017

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
 CHELLY MCDUFFIE CHIEF DEPUTY
 Phone: 770-528-8600
 Fax: 770-528-8679

Payee:
 ORAL CERAMICS DENTAL

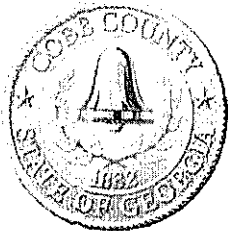
ORAL CERAMICS DENTAL STUDIO INC

Payment Date: 2/9/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2016	17062100210	10/17/2016	Pay: N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid
\$132.87	\$289.03	\$0.00	\$0.00	\$6,202.57
				Balance
				\$0.00



Scan this code with your
 mobile phone to view this
 bill!!



COBB COUNTY WATER SYSTEM

Customer Services Facility
660 South Cobb Drive
Marietta, Georgia 30060-3105
770-419-6200
www.cobbwater.org

Stephen D. McCullers, P.E.
Director

Divisions
Business Services
Customer Services
Engineering & Records
Stormwater Management
System Maintenance
Water Protection

February 6, 2017

Michael H. Elliott, Jr., - President
Metro Engineering and Surveying Co., Inc.
1469 Highway 20 West
McDonough, Georgia 30253

Re: Proposed development: 12,000 ft² daycare, 2,000 ft² oil change
Cooper Lake and South Cobb Drive, 2.2 +/- Acres
Land Lots 604, 621, 17th District
Nickajack Creek Basin, South Cobb WRF

To Whom It May Concern:

Current Cobb County policy is to provide wastewater treatment capacity for approved zonings. CCWS will be able to provide capacity for your approved zoning classification with the following stipulations as set forth by the Cobb County Board of Commissioners:

→The developer has 150 days from this date to present plans for review and approval. Water and sewer fees must be paid and construction started within 90 days after plan approval.

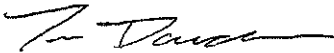
→Should you fail to meet this stipulation, this letter of allocation is invalid and you must reapply to this department for capacity. No preference will be given and your request will be placed at the bottom of the request list.

→This letter is only valid for the project referenced. It is non-renewable, non-transferable, non-extendible and does not guarantee that sewer lines are at the site. Upgrades to existing water distribution and wastewater collection facilities may be required of the Developer if the demands of this proposal exceed the capacity limits of our existing or proposed facilities.

There is an existing 16-inch water main on South Cobb Drive available for use. A passing fire flow test will be required prior to approval of construction plans by this department.

Sincerely,

COBB COUNTY WATER SYSTEM


Tim Davidson
Plan Review Engineer
Engineering & Records Division

cc: file

LEGAL DESCRIPTION – 4390 S. COBB DRIVE

All of that tract or parcel of land lying and being in Land Lots 604 and 621, District 18, Cobb County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, COMMENCE at a intersection of the southerly right of way of Cooper Lake Road and the easterly right of way of S. Cobb Drive; thence running along said easterly right-of-way of South Cobb Drive, in a generally Southeasterly direction, following the tangents and curvature thereof, a distance of 203.60 feet to a point being the TRUE POINT OF BEGINNING.

Thence, running along said right of way along a curve concave to the left, having an arc length of 287.38 feet, a radius of 5938.60 feet, and being subtended by a chord bearing of S 48°59'36" E and a chord length of 287.35 feet to a point; thence leaving said right of way S 24°19'36" W a distance of 139.19 feet to a point; thence N 84°11'35" W a distance of 319.71 feet to a point; thence N 00°04'46" W a distance of 227.33 feet to a point; thence S 58°41'56" W a distance of 79.71 feet to a point; thence N 27°02'00" W a distance of 192.82 feet to a point along the southerly right of way of Cooper Lake Road; thence along said right of way N 65°27'57" E a distance of 28.03 feet to a point; thence leaving said right of way S 45°49'56" E a distance of 181.49 feet to a point; thence N 65°28'10" E a distance of 165.47 feet to a point being the TRUE POINT OF BEGINNING.

Said tract containing 2.244 Acres or 97,750 square feet and being more particularly described by plat of survey by J.A. Evans and Associates, Inc., dated July 19, 2003.

HOLT NEY ZATCOFF & WASSERMAN, LLP

ATTORNEYS AT LAW

100 GALLERIA PARKWAY, SUITE 1800

ATLANTA, GEORGIA 30339-5960

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

Ellen W. Smith
esmith@hnzw.com

April 3, 2017

BY HAND DELIVERY (rgmartin@smyrnaga.gov)

Community Development Office
City of Smyrna
3180 Atlanta Road
Smyrna, Georgia 30080
Attn: Rusty Martin, Senior Planner

Re: Application for Rezoning to the City of Smyrna ("**Application**") by Blastoff Construction, Inc. ("**Applicant**"), with respect to that approximately 2.244 acre parcel of undeveloped property commonly known as 4390 South Cobb Drive (and including 1640 Cooper Lake Road SE) (the "**Property**")

City of Smyrna Application for Annexation (100% Method) ("**Annexation Application**"; together with the Rezoning Application, collectively, the "**Applications**") by Oral Ceramics Dental Studio, Inc. ("**Owner**") with respect to the portions of the Property being Tax Parcels: 1760400310 and 17060400240

SUPPLEMENT TO APPLICATIONS

Dear Rusty:

On behalf of the Applicant, please accept this supplement to the Applications.

Specifically, Applicant seeks to revise its Application to substitute a 3,500 square foot retail building for the originally contemplate 1,650 square foot oil change facility. Accordingly, please find enclosed 5 full sized site plans (a PDF of which is being sent to you electronically) reflecting this change which includes a slightly revised layout of the proposed improvements. The site plan changes also reflect an improved turning radius for EMS access, as shown on the enclosed turning movement plan (5 copies of which are included for your convenience and a PDF of which has been sent to you electronically).

Please also accept the enclosed zoning disclosure report from me for your files.¹

¹Applicant hereby notifies the City of its constitutional concerns with respect to the Applications. Specifically, if the Council denies the Applications in whole or in part, then the Property does not have a reasonable economic use under the Smyrna Zoning Code, as the same is amended from time to time (the "**Zoning Code**"). Moreover, the Applications meet the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl vs. Holcomb Bridge Road, 238 Ga. 322 (1977). If the Council denies the Applications (or either of them) in whole or in part, such an action will deprive Applicant and Owner of the ability to use the Property in accordance with its highest and best use. Similarly, if the Council amends the zoning of the Property to some classification other than the NS zoning district without Applicant's consent, or if the Council limits its approval by attaching

HOLT NEY ZATCOFF & WASSERMAN, LLP

Community Development Office

City of Smyrna

April 3, 2017

Page 2 of 2

On behalf of Applicant and Owner, we respectfully request that the Department recommend approval of the Applications.

Thank you.

Respectfully,



Ellen W. Smith

EWS/ljs

conditions to such approval affecting the Property or the use thereof without Applicant's consent, then such approval would deprive Applicant of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (*see Ga. Const. 1983, Art. I, § 3, para. 1(a)*), and the just compensation clause of the Fifth Amendment to the United States Constitution (*see U.S. Const. Amend. 5*). To the extent that the Zoning Code allows such an action by the Council, the Zoning Code is unconstitutional. Any such denial or conditional approval would discriminate between Applicant and the owner of the Property and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Finally, a failure to grant both Applications or a conditional approval of the either Application (with conditions not expressly approved by Applicant) would constitute a gross abuse of discretion and would constitute an unconstitutional violation Applicant's rights to substantive and procedural due process as guaranteed by the Constitution of the State of Georgia (*see Ga. Const. 1983, Art. I, § 1, para. 1*) and the Fifth and Fourteenth Amendments of the Constitution of the United States (*see U.S. Const. Amend. 5 and 14*). Applicant further challenges the constitutionality and enforceability of the Zoning Code (together with all applicable land use and zoning maps, comprehensive plans, zoning regulations, conditions and site plans), in whole and in relevant part, for lack of objective standards, guidelines or criteria limiting the City's discretion in considering or deciding applications for zoning amendments. Nevertheless, Applicant remains optimistic that the City's consideration of the Applications will be conducted in a constitutional manner.

Russell G. Martin

From: Russell G. Martin
Sent: Tuesday, February 21, 2017 4:57 PM
To: Mayor and Council
Cc: Ken Suddreth; Joey Staubes; Bob Summerville; Mike L. Jones
Subject: Notification of Rezoning Request - 4390 South Cobb Drive
Attachments: 4390 S. COBB DRIVE REZONING.zip; Zoning Vicinity Map_Z17-004.pdf

Dear Mayor and Council:

Community Development received a rezoning request for 4390 South Cobb Drive to rezone the property from NS-Conditional to GC-Conditional for the development of a 1,650 sq. ft. oil change facility and a 12,350 sq. ft. day care facility. The property is currently zoned NS-Conditional and approved for a 19,000 retail center. The rezoning application is attached for your reference. The rezoning is scheduled to be heard by the P&Z Board on March 13th and the M&C on April 17th. Please let me know if you need any further information.

Thank you,

Rusty Martin, AICP
Senior Planner
Community Development Department
3180 Atlanta Road
Smyrna, GA 30080
Phone: 678-631-5354
Fax: 770-431-2808
Email: rgmartin@smyrnaga.gov



Russell G. Martin

From: Russell G. Martin
Sent: Tuesday, February 21, 2017 4:40 PM
To: 'Frank Turner'
Cc: melliott@metro-engineering.com; Joey Staubes
Subject: Rezoning Meeting Date Notification - 4390 South Cobb Drive
Attachments: 2017 Annexation Application.pdf

Dear Mr. Turner:

This letter is to certify that an application for a rezoning request was received on February 10, 2017. The application is currently being processed and your rezoning case will be scheduled and heard on the following dates:

Planning and Zoning Board Meeting: Monday, March 13, 2017, at 6:00 p.m. at City Hall

Mayor and Council Meeting: Monday, April 17, 2017, at 7:00 p.m. at City Hall

Additional Information:

The proposed detention facility is located on property in unincorporated Cobb County. This property needs to be annexed as part of the rezoning application. I have attached the zoning application to this email for your reference. This application needs to be completed and submitted to joey Staubes (copied on this email) as soon as possible to keep this rezoning on the current schedule. There is no charge for the annexation.

If you have any questions regarding the rezoning process, meeting times, or meeting places please contact me at (678) 631-5354.

Thank you,

Rusty Martin, AICP
Senior Planner
Community Development Department
3180 Atlanta Road
Smyrna, GA 30080
Phone: 678-631-5354
Fax: 770-431-2808
Email: rgmartin@smyrnaga.gov



PAYMENT SUMMARY RECEIPT

City of Smyrna
2800 King Street
Smyrna GA 30080

DATE: 02/21/17 CUSTOMER#: 000000000
TIME: 16:22
CLERK: rgmartin

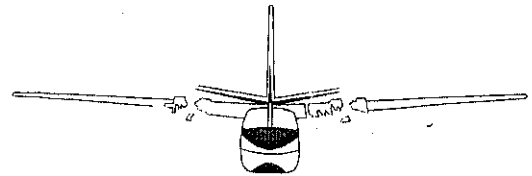
RECPT#: 699222 PREV BAL:
TP/YR: MS/2017 AMT PAID: 1400.00
BILL: ADJSTMNT:
EFF DT: 02/03/17 BAL DUE:
PERMITS/INSP PAYMENT

-----TOTALS-----

PRINCIPAL PAID:	1400.00
INTEREST PAID:	.00
ADJUSTMENTS:	.00
DISC TAKEN:	.00

AMT TENDERED:	1400.00
AMT APPLIED:	1400.00
CHANGE:	.00

PAID BY:
PAYMENT METH: CHECK
PAYMENT REF: 10098, 10096



**METRO ENGINEERING &
SURVEYING CO., INC.**
SURVEYORS- ENGINEERS-PHOTOGRAMMETRISTS
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1469 HIGHWAY 20 W - MCDONOUGH, GA 30253
Phone: 770-707-0777 - Fax: 770-707-0755

February 9, 2017

City of Smyrna
ATTN: Mr. Rusty Martin, Senior Planner
3180 Atlanta Road
Smyrna, Georgia 30080

**RE: Request for Rezoning from NS to GC
4390 South Cobb Drive - 2.24 Acres; LL 604/621; 18th District**

Mr. Martin,

Please find enclosed the necessary information in order to apply for rezoning on the above referenced parcel within the City of Smyrna. We would like to be placed upon the March meeting of the City's Planning and Zoning Board. Enclosed you will find the following original documents:

- Rezoning Application signed by both the titleholder and the applicant
- Recorded deed showing the current titleholder
- Tax Receipt from Cobb County Tax Commissioner showing no taxes owed
- Letter from Cobb County Water System regarding water and sewer availability
- Boundary survey of the proposed tract to be rezoned
- Legal Description of the tract to be rezoned
- Proposed Site Plan for the proposed rezoning
- Proposed Tree Protection Plan for the proposed rezoning
- Elevations for both buildings proposed for the development
- Check for \$900 for the rezoning fee
- Check for \$500 for the tree protection plan review fee
- CD containing above information in digital format and legal description in word format
- 5 copies of all the original documents referenced above

I trust this information is complete. Please let me know if you require any additional information. Thanks in advance for your assistance with this matter.

Kindest Regards,

Michael H. Elliott, Jr., President