

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: _____


Name: Joe Callahan

(Representative's name, printed)

Address: 2370 Nesbitt Drive, Brookhaven, GA 30319

Business Phone: _____ Cell Phone: 404-626-5277 Fax Number: _____

E-Mail Address: joecallahan3@gmail.com

Signature of Representative:  _____

TITLEHOLDER

Name: sheila Lawrence

(Titleholder's name, printed)

Address: 1439 Walker CT Smyrna GA

Business Phone: 7707947001 Cell Phone: 4046603503 Home Phone: _____

E-mail Address: sheila@lfei.net

Signature of Titleholder: Sheila Lawrence
(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-15** to **R-8**
Present Zoning Proposed Zoning

LAND USE

From **LOW DENSITY SF RESIDENTIAL** to **MEDIUM DENSITY SF RESIDENTIAL**
Present Land Use Proposed Land Use

For the Purpose of **Subdividing the lot for creation of 1 additional lot**

Size of Tract **18,960 SF OR 0.435AC**

Location **1439 Walker Court, Smyrna, GA 30080**
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) **560** District **17th DISTRICT, 2ND SECTION**

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

 None located or known to exist on the lot.

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: R15

East: RAD

South: R15

West: RAD

CONTIGUOUS LAND USE

North: Single family residential detached

East: Single family residential detached

South: Single family residential detached

West: Single family residential detached

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 has been requested. Water is provided to the existing house and based on
previous applications on the same street we understand water and sewer are both
available and capacity is sufficient.

TRANSPORTATION

Access to Property? Direct access off of improved and paved public road including
Walker Court.

Improvements proposed by developer? 5' Sidewalk on Walker Court.

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:

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

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:

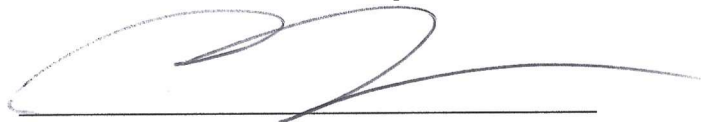
Does the Mayor or any member of the City Council or Planning and Zoning Board have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

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 4th day of September, 20 21.



(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 "use" is identical to the uses of the land on all four sides of this
site. The proposed use is single family detached residential.

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

The proposed zoning and use for the home as R-8 will not change or impact
usability of the adjacent or nearby homes. This zoning will not create any additional
development burden on the adjacent properties due to use, buffer, or setback requirements
nor for any other reason. As noted above the use is identical. Therefore logically there
would be no adverse impacts from this use or zoning.

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

The property as currently zoned is not developed to its highest and best economic
potential. Other land in this area is zoned for medium and higher densities. It would be
reasonable therefore to expect that this lot should be able to be developed in the same or
similar fashion as those higher density homes on the same street that have been
approved previously. Anything else would be less reasonable.

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.

Adding a single home to the existing infrastructure will have no appreciable impact
to local 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 future land use plan calls for this area to be moderate density residential.
The current development is low density residential. Therefore the requested development
will simply result in a development that is congruent with the FLU plan and compliment
other new homes being built on the same street and in the neighborhood.

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.

Williams Park Neighborhood has experienced significant redevelopment in the last
10 years. The major part of this change has been brought about by lot splits and new
homes very similar if not the same as those proposed in this request. There have been
many lot splits in this and other nearby neighborhood over the last five or six years.

Of those lot splits several were nearly identical in size to this request and had similar
conditions and variances requested. Additionally this lot sits beside an RAD development
of 7 lots that are even higher density. The proposed density would actually be a nice step
down in zoning from the smaller lots adjacent on the right and the larger lots across the
street.

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.

Existing unimproved homes in the neighborhood were all built in the early 1950's and lack significant style and are being replaced rapidly by new homes or major renovations. The new homes have generally been traditional or craftsman styled. The proposed homes will be placed to align with existing homes and street setbacks and are designed to compliment the traditional and craftsman of American Farmhouse styles. Open space will be congruent with other newer homes that have been constructed in the neighborhood in the last ten years.

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

No, single family detached residential use in a slightly higher density configuration will not create a nuisance or incompatibility with existing uses which are essentially the same.

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 is significantly larger than one older home across the street. However, the homes are similar in size to the homes to the east, west and rear of the proposed development, as well as those homes nearby. None of these homes would be dwarfed or shaded by the new homes. There are no significant view corridors or views that these new homes would block or change. The size is congruent with all the newer homes that have been constructed on the same street and those nearby.