



# City of Smyrna

## Legislation Text

City of Smyrna  
A. Max Bacon City Hall /  
Council Chambers  
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File #: 2019-170, Version: 2

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**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Zoning Request Z19-009 - Rezoning from LI to MU for the use of the property as residence and an antique restoration business - 1.22 Acres - Land Lot 492 - 2201 Dixie Avenue - Gordon and Deanie Brans

: Gordon and Deanie Brans are requesting rezoning from LI (Light Industrial) to MU-Conditional (Mixed Use) for the use of the property as a single-family residence and an antique restoration business. The applicants are currently operating their antique restoration business from the accessory building at the rear of the property with the existing residence being vacant. The applicants are requesting to renovate the residence into a new home where they will live on-site. They are proposing to replace the existing chain link fence along Dixie Avenue and Davis Street with a new 6' iron/wood fence with masonry columns to secure the site and the business. Finally, they are proposing to maintain the existing gravel parking area in its current form.

The applicants have submitted building elevations with the rezoning application. The submitted building elevations show the proposed improvements to the existing residence on-site. The applicants are proposing to use a mixture of materials for the buildings, including but not limited to brick and lap siding.

**GROUND:** The Planning and Zoning Board heard the zoning request at the May 13, 2019 meeting and made a recommendation for approval with staff conditions by vote of 7-0.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of the rezoning from LI to MU-Conditional on 1.22 acres for the development of a residential unit and the operation of an antique restoration business, including those variances supported by staff as shown above, **with the following conditions:**

**Standard Conditions**

**Requirements # 1, 2, 3, 4, 5, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Code are not applicable. All other requirements remain applicable.**

1. All utilities within the development shall be underground.
2. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review.
3. No debris may be buried on any lot or common area.
4. The developer will comply with the City's current tree ordinance. All required tree protection

measures shall be adhered to by the developer during construction.

5. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
6. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

#### **al Conditions**

7. The development shall maintain the following setbacks:
  - Front - 0'
  - Side - 0'
  - Rear - 20'
  - Building Separation - 20'
8. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
9. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director or Cobb County Water System during construction plan review.
10. The developer shall provide a 10' right-of-way dedication along both Dixie Avenue and Davis Road.
11. The developer shall be permitted to use gravel for the parking area.
12. The developer shall be permitted to construct a 6' iron/wood fence with masonry columns in place of the existing chain link fence along Dixie Avenue and Davis Road provided the fence does not impede sight distances on Dixie Avenue. The City Engineer shall review the location of any fencing.
13. Approval of the subject property for the MU-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 4/12/2019 and created by Patrick F. Carey and all zoning stipulations above.
14. The applicant shall be bound to the elevations submitted on 4/12/2019. Approval of any change to the elevations must be obtained from the Director of Community Development.