

Index #: RZ11-18Genero #: 11120106Legistar #: 11-0767

ZONING APPLICATION

TYPE OF REQUEST:

- ☒ Rezoning
☐ Concurrent Variance
☐ Conditional Use
☐ Text Amendment
☐ Other (Explain)

Present Zoning _____

Requested Zoning _____

Proposed Use _____

Total Acreage _____

PROJECT

Name of Project Sherwin Williams PaintsProperty Address/Location 2830 Holcomb Rd. Suite/Apt. # _____ City Roswell State GA Zip Code 30075Land Lot 824

District _____

Section _____

Property ID

12 29500824051

APPLICANT/OWNER

Applicant John GiaquintoCompany WorkBench Ace HardwareMailing Address 2912 Pacific Drive Suite/Apt. # _____ City Norcross State GA Zip Code 30071Phone 770-441-8272

Cell Phone _____

Fax Phone _____

E-mail _____

REPRESENTATIVE

Contact Name and Company (Owner's Agent or Attorney) Martin L. Kueckelhan I.D. Associates, Inc.Contact Mailing Address 1771 Industrial Rd. Suite/Apt. # _____ City Dorham State AL Zip Code 36303Phone 334-836-1400Cell Phone 334-791-7107

Fax Phone _____

E-mail marly.k@idassociates
inc.com

I hereby certify that all information provided herein is true and correct

Applicant Signature: Martin L. Kueckelhan
Property Owner or Owner's RepresentativeDate: 12 / 2 / 11

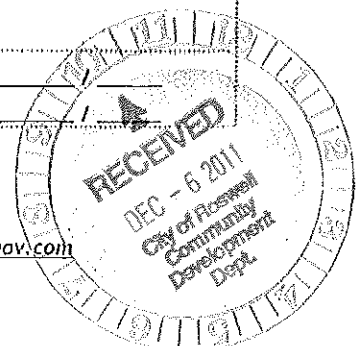
OFFICE USE

Fee: \$ _____ ☐ Cash ☐ Check # _____ ☐ CC - Visa/ MC

Date: _____ / _____ / _____

☐ Approved ☐ Denied By: _____

Date: _____ / _____ / _____





Analysis Requirements

REZONING APPLICATIONS: Please complete the Analysis Requirements questionnaire. Applicants are required to respond to criteria 1 through 6 pursuant to O.C.G.A. 36-67-3. Further, please complete criteria 7 through 23, as noted below.

CONCURRENT VARIANCE APPLICATIONS: Please complete the Analysis Requirements questionnaire. Applicants are required to respond to criteria 1 through 23. Complete also the Concurrent Variance Justification, questions 1 – 7 at the end of this section.

CONDITIONAL USE APPLICATIONS: Please complete the Analysis Requirements questionnaire. Applicants are required to respond to criteria 1 through 8; also 13, and 18 through 22. Criteria 9 through 12, and 14 through 17, and 23 are NOT required to be completed for a Conditional Use Application.

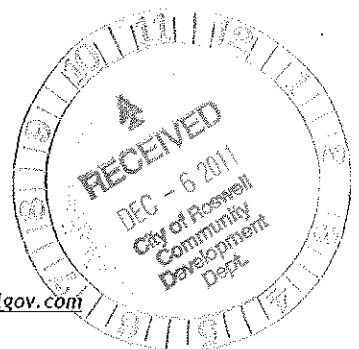
1. Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

We are requesting a change of Condition 3.F. to zoning to allow a sign for the Sherwin Williams site, A freestanding site

2. Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. *NO*

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

4. Whether the proposal will result in a use which would or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. *NO*





5. Whether the proposal is in conformity with the policy intent of the Comprehensive Plan including land use element. *NO*

Asking for a change of condition 3.f. to allow Steven Williams their own road sign, where none currently exists.

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 proposal. ✓

There is limited visibility of the store front sign because the property is ~~located~~ situated at the top of a hill and outside the periphery of potential customers

An applicant for an amendment to the official zoning map may decline to provide any information related to criteria seven (7) through twenty-three (23) if he or she completes, signs, and notarizes the following statement:

"I do not regard the information required by the City, or any portion thereof as indicated, as necessary or relevant to the City Council in their consideration of my application for rezoning. I stipulate that such information shall not be relevant to the City Council in their deliberations or to any court in its review of the decision on my application for rezoning."

Date: ____ / ____ / ____

Owner of Property (Signature)

The above named individual personally appeared before me, and on oath states that he/she is the _____ for the foregoing, and that all above statements are true to the best of his/her knowledge.

Date: ____ / ____ / ____

Notary Public (Signature)

My Commission Expires:

Date: ____ / ____ / ____

7. An explanation of the existing uses and zoning of subject property.

Retail store that sells paint & supplies to contractors & individuals

8. An explanation of the existing uses and zoning of nearby property.

N/A





9. An explanation of the existing value of the property under the existing zoning and/or overlay district classification.

N/A

10. Whether the property can be used in accordance with the existing regulations.

It can be used, but the lack of visibility is a potential traffic hazard to potential customers. See letter of intent.

11. The extent to which the property value of the subject property is diminished by the existing zoning district and/or overlay district classification.

N/A

12. The value of the property under the proposed zoning district and/or overlay district classification.

N/A

13. The suitability of the subject property under the existing zoning district and/or district classification for the proposed use.

N/A

14. The suitability of the subject property under the proposed zoning district and/or overlay district classification.

N/A



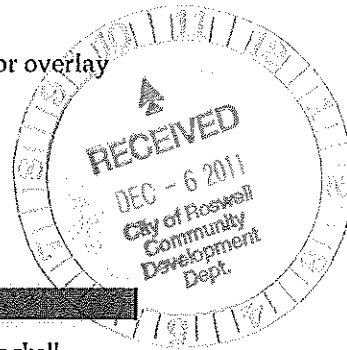
21. The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme, with due consideration given as to whether or not the proposed change will help to carry out the purposes of these zoning regulations.

We would like a road side identification sign that both in design & size would compliment the architecture of the Museum Williams store and the surrounding areas.

22. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight. In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.

The design of the sign will preserve the integrity of the shopping center and the surrounding neighborhood

23. The amount of undeveloped land in the general area affected which has the same zoning or overlay district classification as the map change requested. *N/A*



Concurrent Variance Justification If Required

An applicant requesting consideration of a Concurrent Variance to any provision of the Zoning Ordinance shall provide written justification that one or more of the following condition(s) exist:

1. There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape, topography that are not applicable to other lands or structures in the same district.
2. Any information whereby a literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the applicant's property is located.
3. Any information supporting that granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.
4. Any information that the requested variance will be in harmony with the purpose of the intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
5. Any information that special circumstances are not the result of the actions of the applicant.
6. Any information that the variance request is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed.
7. Any information that the variance shall not permit a use of land, buildings, or structures, which is not permitted by right in the zoning district or overlay district involved.



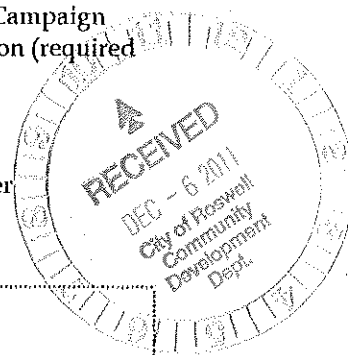
Application Signature Page

Please complete this Applicant Signature Page for ALL applications. **READ CAREFULLY BEFORE SIGNING.**

- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the *Roswell Zoning Ordinance*) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.
- I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My signed Campaign Disclosure Statement is included with this Application (required for rezoning only).
- I understand that due to a sewer allocation system controlled by Fulton County, sewerage capacity may not be available. I agree to arrange sewer service separately from this application. The method of sewage disposal that is planned for this property is:

Check one:

- ☐ Sanitary Sewer
☐ Septic Tank



I respectfully petition that this property be considered as described in this application

From Use District _____

To Use District: _____

Wherefore, applicant prays that the procedures incident to the presentation of this petition be taken, and the property be considered accordingly. Additionally, applicant further acknowledges and fully understands all above statements made by the City of Roswell.

APPLICANT SIGNATURE (REQUIRED FOR ALL APPLICATIONS)

I hereby certify that all information provided herein is true and correct

Owner of Property (Signature) _____

Date: ____ / ____ / ____

Street Address, City, State, Zip _____

Phone _____

NOTARY

Personally appeared before me the above Owner named _____ who on oath says that he/she is the Applicant for the foregoing, and that all the above statements are true to the best of his/her knowledge.

Notary Public (Signature) _____

Date: ____ / ____ / ____

Date: ____ / ____ / ____
Commission Expires

ATTORNEY / AGENT (IF APPLICABLE)

Martin L. Kueckelhan _____

Attorney/Agent (Signature)

Date: 12 / 1 / 11

1771 Industrial Rd Dothan, AL 36023

334-791-7107
Phone



Application Signature Page

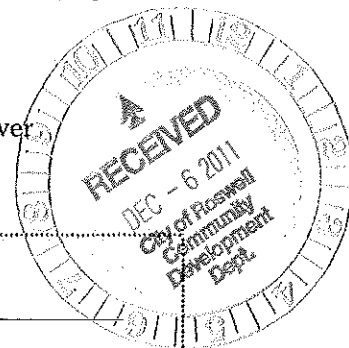
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APPLICANT SIGNATURE (REQUIRED FOR ALL APPLICATIONS)

I hereby certify that all information provided herein is true and correct

John G. Quinto
Owner of Property (Signature)
1830 Holcomb Bridge Rd Alpharetta, GA 30022
Street Address, City, State, Zip

Date: 12/2/11
770-441-8292
Phone

NOTARY

Personally appeared before me the above Owner named John G. Quinto who on oath says that he/she is the Applicant for the foregoing, and that all the above statements are true to the best of his/her knowledge.

William C. King
Notary Public (Signature)
Notary Public, Fulton County, Georgia
My Commission Expires March 24, 2014

Date: 3/24/2014
Commission Expires

ATTORNEY/ AGENT (IF APPLICABLE)

Martin L. Kueckelhan
Attorney/ Agent (Signature)
1771 Industrial Rd Dothan, AL 36303
Street Address, City, State, Zip

Date: 12/1/11
334-791-7107
Phone



APPLICANT CAMPAIGN DISCLOSURE STATEMENT

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Roswell City Council or a member of the City of Roswell Planning Commission?

☐ YES

☒ NO

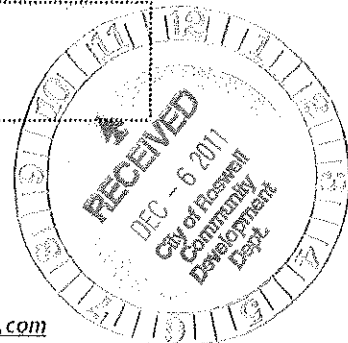
[Signature]
Applicant/Owner of Property (Signature)

Date: 12 / 2 / 2011

2830 Holcomb Bridge Rd Alpharetta, GA 30022
Street Address, City, State, Zip

If the answer is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount





Planning & Zoning Director Acceptance Stamp

☒ Rezoning

☐ Concurrent Variance

☐ Conditional Use

RECEIVED BY THE CITY OF ROSWELL
ZONING OFFICE Dec. 6, 2011
Date

APPROVED FOR INITIATION OF A ZONING
AMENDMENT TO THE ROWELL ZONING
ORDINANCE AND ZONING MAP BY THE
ZONING DIRECTOR.

Blairford P. Townsend
Zoning Director

TIME: 10:15 am DATE: 12-12-2011

THIS APPLICATION SHALL BE CONSIDERED
AND MAY BE REFERRED TO AS REZONING
PETITION NUMBER _____

R211-18