



RZ Case #: \_\_\_\_\_

CV Case #: \_\_\_\_\_

CU Case #: 09060435LS#: 09-0594**ZONING APPLICATION****TYPE OF REQUEST :**

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

Present Zoning \_\_\_\_\_

Requested Zoning \_\_\_\_\_

Proposed Use \_\_\_\_\_

Total Acreage \_\_\_\_\_

**PROJECT**

GEORGIA ALLSTARS (CHEERLEADING)  
Name of Project  
3000 NORTHFIELD PLACE SUITE 100 ROSWELL, GA 30076  
Property Address/Location Suite/Apt. # City State Zip Code

Land Lot 592 District 1 Section 2ND Property ID \_\_\_\_\_

**APPLICANT/OWNER**

JAMIE PARRISH  
Applicant  
GEORGIA ALLSTARS - GEORGIA ALLSTAR CHEERLEADING, INC  
Company  
3000 NORTHFIELD PLACE SUITE 100 ROSWELL, GA 30076  
Mailing Address Suite/Apt. # City State Zip Code

Phone 678 566 7827 Cell Phone \_\_\_\_\_ Fax Phone \_\_\_\_\_ E-mail \_\_\_\_\_

**REPRESENTATIVE**

MICHAEL J KRAMER  
Contact Name and Company (Owner's Agent or Attorney)  
244 ROSWELL ST. SUITE 100 MARIETTA, GA 30060  
Contact Mailing Address Suite/Apt. # City State Zip Code  
770-422-7096 770 427 1378 MJKRAMERLAW@GOL.com  
Phone Cell Phone Fax Phone E-mail

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

Applicant Signature: \_\_\_\_\_ Property Owner or Owner's Representative

Date: 6 / 1 / 09

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. *YES. It is to be a cheerleading gym which instructs cheerleading techniques and allstar squad participation. We believe a similar use was approved for a dance studio in 2007. Also in the same office park as our intended space is, in suite 101, which encompasses 4 suites and 8 bay doors is a business called, "Jump Zone." Our intended space has only 2 bay doors.*
2. Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. *NO. There is no aspect of the function of the business that will adversely affect any existing use or adjacent property. Our suite is at the end of Old Roswell Rd, and we are the last suite. The only thing on the other side is woods.*
3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned. *Not requesting rezoning.*
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.

*Absolutely not! Most of the time the business does not even begin operation until 5:30 pm. During the Summer we intend to have squad classes 3 or 4 days per week. No squad has more than 16 people and no more than 1 squad will be involved at a time. During the school year there is no activity until 5:30 pm when the kids are out of school. There are 24 parking spaces in the front and @ 10-12 in the back. We cannot conceive of a time when parking will be an issue.*







5. Whether the proposal is in conformity with the policy intent of the Comprehensive Plan including land use element. *We believe so... with regard to our intended use.*

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 are no other existing or changing conditions*

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."*

Owner of Property (Signature)

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

*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.*

Notary Public (Signature)

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

My Commission Expires:

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

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

*The property is zoned I-1. It's an office park which accommodates warehouse use. Our intended use of the property will not adversely affect how it is zoned nor how it is used by other tenants.*

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

*Other businesses in the development are not unlike ours, except, we do not involve any transportation, sales, nor the storage or distribution of goods. The only things we intend to have in our space are cheerleading mats and small offices. Across Old Roswell Rd from our intended suite front is a subdivision of older homes which clearly pre-dates the office park where we intend to be.*



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

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

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

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

13. The suitability of the subject property under the existing zoning district and/or district classification for the proposed use. We feel that the subject property is very suitable for our use. Our business is not intrusive nor overwhelming. Our business will not have a negative or adverse impact on the subject property in any manner. In 16 evenings we intend to have cheerleaders taking classes from 5:30 to 9:00 in 30 min increments with @ 10-16 of the 24 spaces utilized at any given time. Staff and older

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

cheerleaders, and even some parents can park in the back of the building. We base these estimates on many years experience in the cheerleading business. Additionally, as stated herein, for 9 months out of the year, our business does not even begin until 5:30 pm. Our intended suite is secluded, at the end with only woods on one side





15. The length of time the property has been vacant or unused as currently zoned.

16. A description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district.

17. The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.

18. Possible effects of a change in zoning or overlay district map, or change in use, on the character of a zoning district. Any change in use would be positive in that we do not deal with equipment, goods, trucks, transportation or distribution. Our warehouse space would be taken up with cheerleading mats ..... and not product, hence there are no risks or dangers with regard to the storage of product. No trucks. No deliveries. And except for some days in the summer, our business would not begin to operate until 5:30pm

19. Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

Absolutely not.

20. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.

Zero impact on the environment







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. *our business would fit nicely into the overall zoning scheme. we would not adversely affect it. we would have 24 spaces in front of our unit and @ 10-12 in the back. from past experience in the business, there are rarely more than 15-18 cars at any given time at the premises during business hours.*
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. *We make no outside noise and create no disturbances*
- our intended site fronts Old Roswell Rd. Across U.R.R is a pre-existing subdivision. There are buffers of trees and bushes on our property. There would be no impact to or on the subdivision. we would not add anything adverse or detrimental to the adjacent park, the subdivision or the surrounding area.*
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.

#### 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) \_\_\_\_\_

2135 DeLoach Hills Rd  
Street Address, City, State, Zip

Atlanta, GA 30318

Date: 6/5/09

Phone: 404-355-1505

#### NOTARY

Personally appeared before me the above Owner named Tom Puett 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: 6/5/09

Date: \_\_\_\_\_

Commission Expires

Notary Public, Douglas County  
Georgia  
My commission expires  
August 17, 2011

#### ATTORNEY / AGENT (IF APPLICABLE)

Attorney / Agent (Signature) \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Street Address, City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_





## Campaign Disclosure Ordinance

Please read the law and complete the **Campaign Disclosure Statement** on the following page if you are requesting a **Rezoning, Concurrent Variance, or Conditional Use**.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

\*38069 Code, 36-67A-3

### CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

#### 36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
  - 1) The name and official position of the local government official to whom the campaign contribution was made; and
  - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
  - 1) The name and official position of the local government official to whom the campaign contribution was made; and
  - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

*Official Code of Georgia Annotated Copyright 1982 - 2000 State of Georgia.*





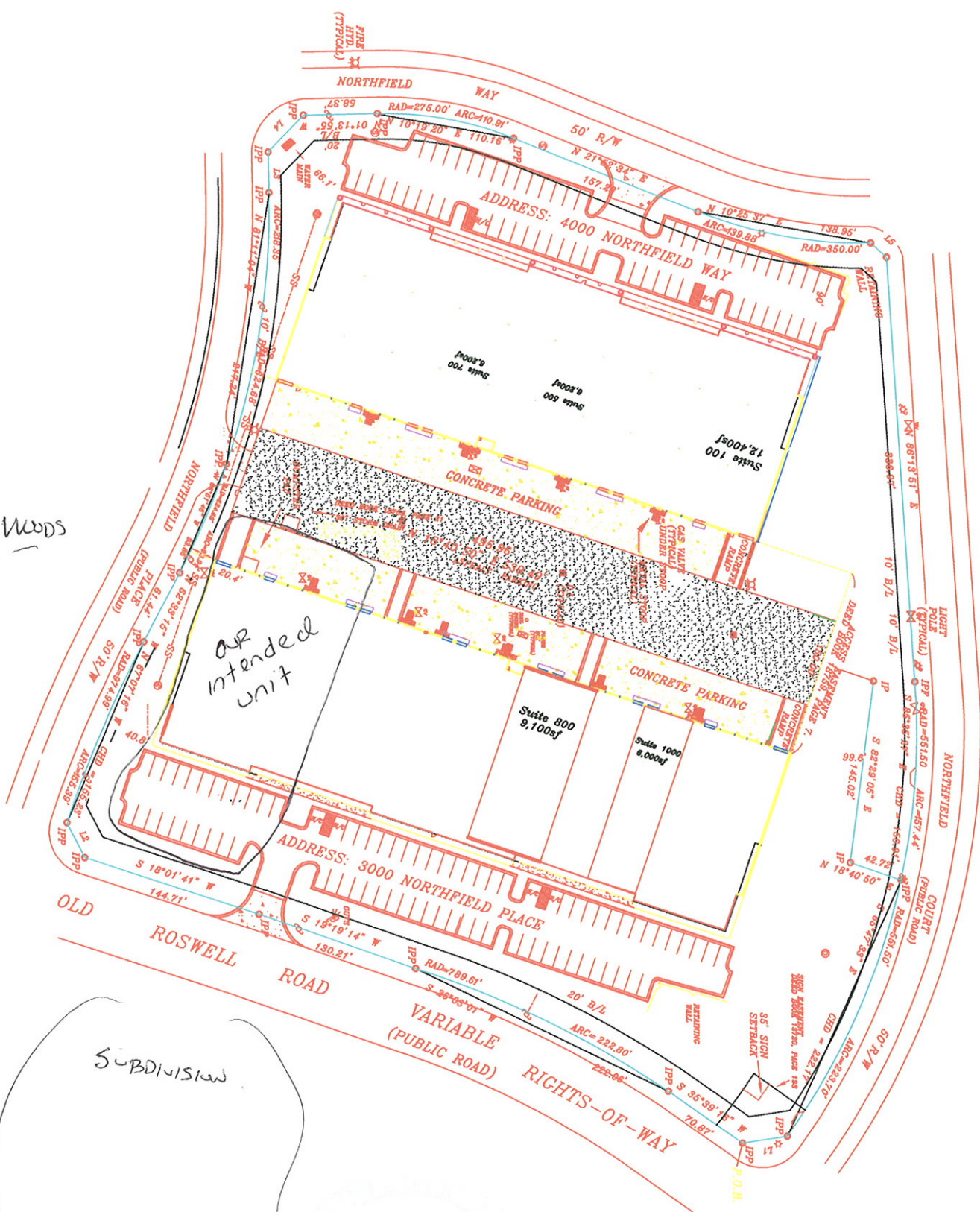


WOODS

OR  
Intended  
unit

SUBDIVISION

RECEIVED  
JUN 26 1971  
City of Roswell  
Community  
Development  
Dept.







**Planning & Zoning Director Acceptance Stamp**

- ☐ Rezoning
- ☐ Concurrent Variance
- ☒ Conditional Use

RECEIVED BY THE CITY OF ROSWELL  
ZONING OFFICE June 26, 2009  
Date

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

Bradford D. Townsend  
Zoning Director

TIME: 9:22 DATE: 7-10-2009

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

CU09-01