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Present Zoning   R3     Concurrent Variance   R6quested Zoning   R3			Z	ONINC	S APPLIC	CATIO	N		
Present Zoning R3  Concurrent Variance  Concurrent Variance  Conditional Use  Church  Total Acreage  Cash Conditional Use  Church  Conditional Use  Church  Church  Church  City State Zip Code  Roswell GA 30076  Roswell GA 30	TYPE OF R	EQUEST:							
Concurrent Variance   Requested Zoning   R3	☐ Rezoning	}			Dracout Zonia		מח		
Text Amendment	🛭 Concuri	rent Variance			Fresent Zoning	g			
PROJECT  Name of Project Heal Our Land Ministries Federation, Inc. Property Address/Location 1565 Holcomb Bridge Road Land Lot District 613	🛭 Conditie	onal Use			Requested Zor	iing	R3		<del></del> -
PROJECT  Name of Project Heal Our Land Ministries Federation, Inc. Property Address/Location  1565 Hol comb Bridge Road Land Lot District 613 lst 2nd Roswell GA 30076 APPLICANT/OWNER  Applicant Heal Our Land Ministries Federation, Inc. Company 8900 Martin Road Roswell, GA 30076 Mailing Address Suite/Apt. # City State Zip Code Phone Cell Phone Fax Phone E-mail  REPRESENTATIVE  Contact Name and Company (Owner's Agent or Attorney) 1 Ad D. Ransopher, Attorney RANSOPHER, TEDRICK & SMEAL, LLP Contact Mailing Address Suite/Apt. # City State Zip Code 82 Thompson Street ROSWELL Applicant Contact Mailing Address Suite/Apt. # City State Zip Code 82 Thompson Street ROSWELL Applicant City State Zip Code Alpharetta GA 30000 E-mail  (770) 475-4444 (404) 964-8090 (770) 475-4408 tdr@ransopher.com Ext 201  Ihereby critical property Owner or Owner's Representative  OFFICE USE Fee: S Cash Check # CC Visa/ MC Date:	☐ Text An	rendment			Proposed Use		CHURC	<u> </u>	
Name of Project Heal Our Land Ministries Federation, Inc.  Property Address/Location  Property Address/Location  Property Address/Location  Bridge Road Land Lot G13  Ist Section Section Froperty ID	Other (I	Explain)			Total Acreage		2.243		,
Heal Our Land Ministries Federation, Inc.   Property Address/Location   Suite/Apt. # City   State   Zip Code   Roswell   GA   30076	PROJECT							1711.71117 1-2-2-1-1-1	
Property Address/Location  1565 Hol Comb Bridge Road Land Lot District Section 613	Name of Proj	ect	mictuica Ea		T				
1565 Holcomb Bridge Road   Roswell GA 30076	Property Add	lress/Location	}			e/Apt.#	City	State	Zin Code
APPLICANT/OWNER  Applicant Heal Our Land Ministries Federation, Inc. Company 8900 Martin Road Roswell, GA 30076  Mailing Address Suite/Apt. # City State Zip Code Phone Cell Phone Fax Phone  Contact Name and Company (Owner's Agent or Attorney) Tad D. Ransopher, Attorney RANSOPHER, TEDRICK & SMEAL, LLP  Contact Mailing Address 82 Thompson Street Phone Cell Phone Fax Phone Fax Phone Fax Phone Cell Phone Fax Phone Thompson Street Phone Thompson Street Thompson Street Phone Fax Phone Thereby certiful Mailing Address Tenail  City State Zip Code Alpharetta GA 30000 E-mail Thereby certiful Mailing Address Thompson Street T	1565 Hol		dge Road				Roswell_	GA	
APPLICANT/OWNER  Applicant Heal Our Land Ministries Federation, Inc. Company 8900 Martin Road Roswell, GA 30076  Mailing Address Suite/Apt.# City State Zip Code Phone Cell Phone Fax Phone E-mail  REPRESENTATIVE  Contact Name and Company (Owner's Agent or Attorney) Tad D. Ransopher, Attorney RANSOPHER, TEDRICK & SMEAL, LLP Contact Mailing Address Suite/Apt.# City State Zip Code 82 Thompson Street Alpharetta GA 30009 Phone Fax Phone E-mail  (770) 475-4444 (404) 964-8090 (770) 475-4408 tdr@ransopher.com Ext 201  Thereby certify [170] [17		*******************************	•				Property ID	-10061	3083
Heal Our Land Ministries Federation, Inc.  Company 8900 Martin Road Roswell, GA 30076  Mailing Address Suite/Apt. # City State Zip Code Phone  Cell Phone Fax Phone  Contact Name and Company (Owner's Agent or Attorney) Tad D. Ransopher, Attorney RANSOPHER, TEDRICK & SMEAL, LLP  Contact Mailing Address Suite/Apt. # City State Zip Code 82 Thompson Street Phone Cell Phone Cell Phone Fax Phone Fax Phone Fax Phone Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Address Suite/Apt. # City State Zip Code Al pharetta GA 30009 E-mail Contact Mailing Add						* *************************************	· Forterment	oli ili ili ili ili ili ili ili ili ili	
Phone Cell Phone Fax Phone E-mail  REPRESENTATIVE  Contact Name and Company (Owner's Agent or Attorney) Tad D. Ransopher, Attorney RANSOPHER, TEDRICK & SMEAL, LLP  Contact Mailing Address 82 Thompson Street Phone Cell Phone Fax Phone E-mail  (770) 475-4444 (404) 964-8090 (770) 475-4408 tdr@ransopher.com  Ext 201  I hereby certify Halfall plantation provided herein is true and correct  Applicant Signature: Property Owner or Owner's Representative  OFFICE USE Fee: \$ \( \text{Cash } \text{Cash } \text{Check } # \) \( \text{CC - Visa/ MC} \) Date: \( \text{Date:} \)	Heal Our Company 8900 Mar	tin Road	nistries Fe R		GA 30076		CV.	~	
REPRESENTATIVE  Contact Name and Company (Owner's Agent or Attorney) Tad D. Ransopher, Attorney RANSOPHER, TEDRICK & SMEAL, LLP  Contact Mailing Address Suite/Apt. # City State Zip Code 82 Thompson Street Phone Cell Phone Fax Phone E-mail  (770) 475-4444 (404) 964-8090 (770) 475-4408 tdr@ransopher.com  Ext 201  I hereby certiful for fail in formation provided herein is true and correct  Applicant Signature: Property Owner or Owner's Representative  OFFICE USE Fee: \$ Cash   Check #   CCC - Visa/ MC   Date: And And   Date: And And   Date: And And   Date: And   Date: And   Date: And   Date: And   Date:			N-PAN-			te/Apt. #	City	Slate	Zip Code
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City of Roswell 36 Hill Street Suite G - 30 Roswell, Georgia 30075 770-641-3780 www. loss Planning & Zoning Division Application 5/27/11 Page 1





#### 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.

The church will pose no issue with the use and development of the adjacent or nearby property.

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

The church will not adversely affect the existing use or usability of the adjacent or nearby property.

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

In the past, the property has been used as a daycare and a charter school. The church conditional use application will not affect the property as it is currently zoned.

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.

The church will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. The previous use of the property was as a school with daily traffic which would exceed the Sunday traffic of the church. Although weekly events at the church will make for some traffic, it would be less burdensome on infrastructure than the previous use.

WWW.

rellgov.com

City of Reswell Community Development Dept.



### **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 Sanitary Sewer arrange sewer service separately from this application. The Septic Tank method of sewage disposal that is planned for this property is: 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 Wherefore, applicant prays that the procedures included to the property be considered accordingly. Additionally, applicant further acknowledges in swell taken, and the property be considered accordingly. and fully understands all above statements made by the City of Roswell. Develophient APPLICANT SIGNATURE (REQUIRED FOR ALL APPLICATIONS) on provided herein is true and correct Date: 10/11/11 BISHOP BANDRIAN WESley peared before me the above Owner named From ATIME THE he is the Applicant for the foregoing, and that all the above statements are true er knowledge.

Date: 10 / 11 / 2011

Check one:

Attorney/Agent (IF APPLICABLE)

Attorney/Agent (Signature) Tad D. Ransopher, Attorney

82 Thompson Street; Alpharetta, GA 30009

Street Address, City, State, Zip

Phone

Date: 10 / 11 / 2011

(770) 475-4444, Ext 201

Phone



#### Analysis Requirements

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The church will not adversely affect the existing use or usabiliof the adjacent or nearby property.

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

N/A

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.

The church will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. The previous use of the property was as a school with daily traffic which would exceed the Sunday traffic of the church. Although weekly events at the church will make for some traffic, it would be less burdensome on infrastructure than the previous use.



5. Whether the proposal is in conformity with the policy intent of the Comprehensive Plan including land use element.

The comprehensive plan provides for even greater use of the property than that of a church and the church offices.

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.

Heal Our Land Ministries Federation, Inc. is already an owner of a house in Martins Landing and enjoys a favorable relationship with the area. A church would serve not only the community, but provide an excellent use of the property with little or no stress on the community's infrastructure.

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

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)

My Commission Expires: \_\_\_\_\_\_ Date: \_\_\_\_/ \_\_\_\_ / \_\_\_\_

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

The subject property had been zoned as a daycare facility and then as a school.

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

The nearby property has existing uses of commercial office space, strip shopping center, fast food restaurants, Roswell Fire Station and single family housing development.



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.  The subject property has gymnasium offices, perfect for holding Sunday services for the church. It also has offices that would be staffed by church personnel. Such personnel would be the bookkeeper, pastor offices and general administration. There will be no other offices used either rental or not, at the subject property.
14.	The suitability of the subject property under the proposed zoning district and/or overlay district classification.
	City of Roswell 38 Hill Street Suite G - 30 Roswell, Georgia 30075 770-641-3780 www.roswellgov.com Planning & Zoning Division Application 1/20/11 Page 4



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.

None

- 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.
  - The facility is currently unoccupied and failed to operate profitably as a school. The property was foreclosed upon and is currently under bank ownership. The church development would be a vast improvement over the property's current status. The church will add a sense of community to the area.
- 20. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.

None was cited on the site plan and none is anticipated.



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.

The subject property is currently zoned R-e (multi-family residential district) by the City of Roswell, However, the subject property could likely be rezoned to a commercial zoning district, such as C-3, due to a number of reasons. First, the subject is surrounded by C-3 zoned properties to the west, northwest, north and northeast. Secondly, and most

important, future land use is labeled "General Commercial on the 2015 land use map. 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 property does adjoin Martins Landing Subdivision. The conditional use as a church will have less of an impact on the residential area than the previous use as a school and daycare facility. Traffic will be lighter and having a church within walking distance will actually enhance the community environment.

23. The amount of undeveloped land in the general area affected which has the same zoning or overladistrict classification as the map change requested.

## Concurrent Variance Justification If Required

SEE ATTACHED ATTACHED

- 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.
- 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.



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	XX NO
	Date:	_/_1_/2011
Applicant/Owner of Property (Signature)  8900 Martin Rd. Roswell, GA 30076  Street Address, City, State, Zip		···

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

	***************************************	Description	Amount
None			
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# CONCURRENT VARIANCE JUSTIFICATION

Applicant acknowledges the need for a concurrent variance for the 50' set back in the current zoning ordinance. The property adjoins the Martins Landing Subdivision and as such, requires a 50' set back requirement. Applicant requests a variance from said requirement noting that all previous owners of the property were granted the variance. Applicant sees no major change in the use of the property that would warrant a reinstatement of the 50' buffer.





Plani	ning & Zoning Director Acceptance	Stamp
	Rezoning	· · · ·
囡	Concurrent Variance	•
ď	Conditional Use	·
20 v + 4 a +		RECEIVED BY THE CITY OF ROSWELL. ZONING OFFICE 160. / 2011 Date
		APPROVED FOR INITIATION OF A ZONING AMENDMENT TO THE ROWELL ZONING ORDINANCE AND ZONING MAP BY THE ZONING DIRECTOR.  Brackall Brases  Zoning Director  TIME: 11:26 a. DATE: 16-10-2011
		THIS APPLICATION SHALL BE CONSIDERED AND MAY BE REFFERED TO AS REZONING PETITION NUMBER