

APPLICATION FOR VARIANCE
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 2

Application No: V19-001

Hearing Date: 1/9/19

APPLICANT: The Woodberry Group

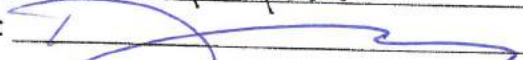
Business Phone: 404.233.1441 Cell Phone: 404-849-4832 Home Phone: -

Representative's Name (print): David Woodberry

Address: 1310 Seaboard Industrial Blvd. NW Ste. 300 Atlanta, GA 30318

Business Phone: - Cell Phone: 404-849-4832 Home Phone: -

E-Mail Address: David@WNLCompany.com

Signature of Representative: 

TITLEHOLDER: Shares Holding, LLC

Business Phone: 770 444 9800 Cell Phone: 770 226 1000 Home Phone: -

Address: 111 Village Pkwy Bldg 2 Marietta Ga 30067

Signature: 

VARIANCE:
Present Zoning: RM-12 Type of Variance: Setback reductions.

Explain Intended Use: New construction townhomes

Location: 1639 Coen Road, Smyrna Parcel ID 17059401820

Land Lot(s): 594 District: 17+L Size of Tract: 0.530 Acres

(To be completed by City)
Received: 12/19/18
Posted: 12/20/19
Approved/Denied: _____

CONTIGUOUS ZONING

North: GC

East: GC

South: RTD

West: GC



Real Estate

[View Bill](#)

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As of	12/17/2018
Bill Year	2018
Bill	2245
Owner	BURROWS FINANCIAL GROUP LLC
Parcel ID	17059401820

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	11/15/2018	\$506.10	\$0.00	\$506.10	\$5.47	\$511.57
Interest			\$0.00			\$5.47
TOTAL		\$506.10	\$0.00	\$506.10	\$5.47	\$511.57

Pay Bill

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Smyrna, City of, GA

Real Estate Tax

Confirmation Number: 131726544
Payment Date: Tuesday, December 18, 2018
Payment Time: 11:28AM ET

Successful completion of the payment transaction is conditioned upon accurate and complete information being entered by you and is subject to financial institution and biller acceptance, approval and authorization of the payment. Electronic check payments may take up to seven business days to be returned by your Financial Institution if incorrect information is entered when a payment is submitted.

Payer Information

Name: Thornton W Morris
Street Address: 999 Ervin Coker Rd NE
 Rome
 Rome, GA 30161
 United States
Daytime Phone Number: (770) 956 - 1001
E-mail Address: batejani@morrislawpartners.com
Bill Number: 2245
Bill Year: 2018
Account Number: 17059401820
Customer ID: 46385
Session ID: 692605882~2

Check Information

Account Type: Business Checking Account
Routing Number: ****00052
Account Number: *****91715

Payment Information

Payment Type: Real Estate Tax
Payment Amount: \$511.57
Transaction Fee: \$2.50
Total Payment: \$514.07

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1639 Corn Road -- The homes will be wood-frame structures in a traditional architectural style with exterior materials consisting of a combination of brick, cedar shakes, fiber-cement siding, and natural wood. They will have gabled roofs with typical asphalt shingles.



Stockton Images



Cert. files Mail receipts behind this page.

**NOTIFICATION OF CONTIGUOUS OCCUPANTS OR LAND OWNERS TO
ACCOMPANY APPLICATION FOR VARIANCE**

By signature, it is hereby acknowledged that I have been notified that The Wansbeck Group

Intends to make an application for a variance for the purpose of construction of townhomes.

on the premises described in the application.

NAME

ADDRESS

NAME	ADDRESS
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Please have adjacent property owners sign this form to acknowledge they are aware of your variance request. Also you may provide certified mail receipts of notification letters sent to adjacent properties. Adjacent and adjoining properties include any property abutting the subject property as well as any directly across a street.

7009 0820 0001 5994 8303

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SMYRNA, GA 30080

Postage	\$2.45
Certified Fee	\$2.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$1.42
	\$7.62

Postmark Here JUN 19 2018

12/18/2018

Sent To: The Eubanks
 Street, Apt. No., or PO Box No.: 3323 Pinetree Dr
 City, State, ZIP+4: Smyrna, GA 30080-4449

PS Form 3800, August 2006 See Reverse for Instructions

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Certified Fee	\$2.75
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Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$1.42
	\$7.62

Postmark Here JUN 19 2018

12/18/2018

Sent To: Deat Baptist Church Inc
 Street, Apt. No., or PO Box No.: 3000 Jonquil Dr
 City, State, ZIP+4: Smyrna, GA 30080-3720

PS Form 3800, August 2006 See Reverse for Instructions

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FAYETTEVILLE, GA 30214

Postage	\$2.45
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Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$1.42
	\$7.62

Postmark Here JUN 19 2018

12/18/2018

Sent To: Mosaic at Vinings Condo Assoc
 Street, Apt. No., or PO Box No.: 101 Devant St
 City, State, ZIP+4: Fayetteville, GA 30214-2710

PS Form 3800, August 2006 See Reverse for Instructions

HOWELL MILL
 1984 HOWELL MILL RD NW
 ATLANTA
 GA
 30327-9998
 1204710016
 (800)275-8777 10:49 AM

Product Description	Sale Qty	Final Price
First-Class Mail	1	\$1.42
Large Envelope (Domestic) (SMYRNA, GA 30080) (Weight:0 Lb 2.60 Oz) (Estimated Delivery Date) (Thursday 12/20/2018)		
Certified (00USPS Certified Mail #) (70090820000159948303)	1	\$3.45
Return Receipt (00USPS Return Receipt #) (9590940226696336717109)	1	\$2.75
First-Class Mail	1	\$1.42
Large Envelope (Domestic) (SMYRNA, GA 30080) (Weight:0 Lb 2.60 Oz) (Estimated Delivery Date) (Thursday 12/20/2018)		
Certified (00USPS Certified Mail #) (70090820000159948037)	1	\$3.45
Return Receipt (00USPS Return Receipt #) (9590940226696336717062)	1	\$2.75
First-Class Mail	1	\$1.42
Large Envelope (Domestic) (FAYETTEVILLE, GA 30214) (Weight:0 Lb 2.60 Oz) (Estimated Delivery Date) (Thursday 12/20/2018)		
Certified (00USPS Certified Mail #) (70090820000159948044)	1	\$3.45
Return Receipt (00USPS Return Receipt #) (9590940226696336717055)	1	\$2.75
First-Class Mail	1	\$1.42
Large Envelope (Domestic) (CANONSBURG, PA 15317) (Weight:0 Lb 2.60 Oz) (Estimated Delivery Date) (Friday 12/21/2018)		
Certified (00USPS Certified Mail #) (70090820000159948068)	1	\$3.45
Return Receipt (00USPS Return Receipt #) (9590940226696336717086)	1	\$2.75
First-Class Mail	1	\$1.42
Large Envelope (Domestic)		

7009 0820 0001 5994 8310

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CANTON, GA 30114

Postage	\$5.00
Certified Fee	\$2.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$7.75

Total Postage & Fees \$7.62

Sent To: Bruce Kelly
 Street, Apt. No., or PO Box No.: 309 Winston Falls Ct
 City, State, ZIP+4: Canton, GA 30114-6830

PS Form 3800, August 2006 See Reverse for Instructions

12/18/2018

7009 0820 0001 5994 8068

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CANONSBURG, PA 15317

Postage	\$5.00
Certified Fee	\$2.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$7.75

Total Postage & Fees \$7.62

Sent To: Crown Castle South Inc
 Street, Apt. No., or PO Box No.: 2000 Corporate Dr
 City, State, ZIP+4: Canonsburg, PA 15317-8564

PS Form 3800, August 2006 See Reverse for Instructions

12/18/2018

(Estimated Delivery Date)
 (Thursday 12/20/2018)
 Certified 1 \$3.45
 (@@USPS Certified Mail #)
 (70090820000159948310)
 Return 1 \$2.75
 Receipt
 (@@USPS Return Receipt #)
 (9590940226696336717093)

Total \$38.10
 Credit Card Remitd \$38.10
 (Card Name:VISA)
 (Account #:XXXXXXXXXXXX7285)
 (Approval #:186590)
 (Transaction #:402)
 (AID:A0000000980840 Chip)
 (AL:US DEBIT)
 (PIN:Not Required)

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YOUR OPINION COUNTS

Bill #: 840-53000179-3-3920014-2
 Clerk: 15



= Subject



= Certified Mail

ZONING ORDINANCE
SEC. 1403. VARIANCE REVIEW STANDARDS.

(a) In rendering its decisions, the License and Variance Board or Mayor and City Council shall consider the following factors:

- (1) Whether there are extraordinary and exceptional conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties in the same district.
- (2) Whether any alleged hardship which is self-created by any person having an interest in the property or is not the result of mere disregard for or ignorance of the provisions from which relief is sought.
- (3) Whether strict application of the relevant provisions of the zoning code would deprive the applicant of reasonable use of the property for which the variance is sought.
- (4) Whether the variance proposed is the minimum variance which makes possible the reasonable use of the property.

Please include your narrative here, or you may submit a typed narrative as a supplement to this application.

COMPREHENSIVE NARRATIVE

Please see typed narrative following this page.

1639 Corn Road Comprehensive Narrative

The Subject Property is located at 1639 Corn Road, in Smyrna, Georgia. Corn Road is a small residential street that runs for approximately four blocks, east to west, and the Subject Property is near the western end (a dead end), to the west of the intersection of Jonquil Drive and Corn Road. That intersection is approximately 600 feet south of Spring Road, a major East/West artery in the city of Smyrna. The Property is .54 acres in size, and varies from 124 feet deep to 133 feet deep. Current setbacks for the existing zoning are: Front yard 50'; Rear yard 40'; Side yard 35'.

The Subject Property is currently zoned RM-12, which allows for the construction of townhomes. The applicant currently does not need and does not seek a rezoning. However, there are certain conditions which make it impossible to construct townhomes:

- The property only averages 138 feet in depth, and the required front and rear setbacks do not leave enough room for construction of a functional-depth townhome.
- The required side-yard setbacks do not allow for any required stormwater detention, and limit the number of townhomes to well below allowed density.

Regarding the factors considered by the License and Variance Board:

1. The small size and shape of the Subject Property are not typical of RM-12 zoned lots in the district and prevent a development that would meet city standards.
2. The hardships which we seek relief from are not self-created. This is a lot of record, zoned by the City of Smyrna. The product type being designed and the density allowed under the RM-12 zoning are not achievable with the current lot configuration and existing setbacks.
3. The strict application of the setbacks would prevent the construction of the type of structure that is allowed in this district. Given that townhomes are allowed in the RM-12 zoning category (and thus are a reasonable use), we believe that the request is reasonable.
4. The setbacks as requested allow for the shifting of the footprint of the structures, depending on the ultimate location of stormwater management systems required by City of Smyrna, without the need to return before the board for subsequent variances. Regardless, the front and eastern side setbacks do represent the minimum required for construction of the propose townhomes.