

APPLICATION FOR VARIANCE
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 4
Application No: V19-049
Hearing Date: 10/23/19

APPLICANT: David Zachariah Nuckols
Business Phone: 770-743-0334 Cell Phone: 205-242-4722 Home Phone: 205 242 4722
Representative's Name (print): David Zach Nuckols
Address: 1070 Karen Ct Smyrna GA 30082
Business Phone: _____ Cell Phone: _____ Home Phone: _____
E-Mail Address: David.Nuckols@lmco.com
Signature of Representative: [Signature]

TITLEHOLDER: David Zachariah Nuckols
Business Phone: 770-743-0334 Cell Phone: 205-242-4722 Home Phone: 205-242-4722
Address: 1070 Karen Ct Smyrna GA 30082
Signature: [Signature]

VARIANCE:
Present Zoning: R-15 Type of Variance: Front set back reduction

Explain Intended Use: Proposed screened porch will extend over 35' B/L on side of property.

Location: _____
Land Lot(s): 333 + 334 District: 17th 2nd Section Size of Tract: .41 Acres

(To be completed by City)
Received: 10/3/19
Posted: _____
Approved/Denied: _____

CONTIGUOUS ZONING

North: R-15

East: R-15

South: R-15

West: R-15

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

By signature, it is hereby acknowledged that I have been notified that _____
David Zachariah Nickels

Intends to make an application for a variance for the purpose of _____
deck/porch renovation that will
exceed the 35' R/L setback on side yard.

on the premises described in the application.

NAME	ADDRESS
<u>Laura Keel (Laura Keel)</u>	<u>4110 W Cooper Lake Dr Smyrna GA</u>
<u>Jo Metcalfe</u>	<u>1060 Karen Ct Smyrna 302230082</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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.

Letter of Intent

In Support of Request for Variance

Zach and Karen Nuckols

1070 Karen Ct, Smyrna, Georgia 30082

Dear Property Owner,

This letter of intent is in support of my request for a variance to the side yard setback requirement, common to West Cooper Lake Drive. Per the Smyrna variance application process, all adjacent property owners are to be notified of the intent for the variance.

Please be advised that I have made a formal application to City of Smyrna for a variance from the requirements of the zoning regulations as they apply to the side yard property setback

As you are aware, we recently purchased the aforementioned property. During the home inspection it was noted that the current deck is not to current code and has structural integrity issues that would require an extensive renovation. Specifically, the structural metal posts are compromised by rust, the floor joist size and spacing is not per current code, and the attachment method to the home is adversely affecting the brick façade.

The intention is to tear down and rebuild the deck and screened in porch along the back (west) wall of the residence. The proposed renovation is to extend the new deck/porch to the south wall of the existing home structure. As such based on current code, the side yard setback requirement along West Cooper Lake Drive is 35'. Currently the south wall of the home extends beyond the 35' setback. This non-conformance to the setback requirement has been grand-fathered in. Included is the site plan for your review of the proposed project plan.

This proposed renovation would improve the aesthetics of the back of the property by upgrading the materials and architecture to more closely match the home. The project would be an improvement to the neighborhood and result in an overall increase in property value and tax base created by the improvement.

Our intent is to provide you an opportunity to become fully aware of our intention with our renovation. Please feel free to reach out to us. We are interested in assuring you that our request will not adversely affect your property interest.

Sincerely,

Zach and Karen Nuckols

205-242-4722

2290941.1.c

Nuckols
1070 Karen Ct
Smyrna, GA 30082

USPS CERTIFIED MAIL



9214 8901 4298 0450 6046 75

0002290941000010

Property Owner
1000 Karen Ct
Smyrna, GA 30082



01030000078383



See Important Information Enclosed

2280941.1.1c

Nuckols
1070 Karen Ct
Smyrna, GA 30082

USPS CERTIFIED MAIL



9214 8901 4298 0450 6046 82

0002280941000020



Property Owner
4110 W. Copper Lake SE
Smryna, GA 30082

0103000078389



See Important Information Enclosed

2290841.1.1c

Nuckols
1070 Karen Ct
Smyrna, GA 30082

0002280941000031



Lecaros
4085 W. Copper Lake SE
Smyrna, GA 30082

USPS CERTIFIED MAIL



9214 8901 4298 0450 6046 99

01030000078540



See Important Information Enclosed

Comprehensive Narrative

I recently purchased the 1070 Karen Ct property in February 2019 and at that time the home inspection uncovered numerous issues with the existing deck. Included with this variance application is a copy of the home inspection for review.

- Section 1.1 (page 4) details the issues with the chimney brick, which is being caused by the deck attachment method to the house. See images on page 10
- Section 1.4 (page 5) details numerous issues with the deck structure, supports, and construction. See images on pages 13, 14, and 15.

From a cost standpoint, the extensive structural repairs required to bring the deck structure to code would approach the cost of removing the existing deck and then rebuilding. The purpose of my variance request is to replace the existing deck with a larger deck as depicted in the attached site survey with the proposed deck profile.

This property has the 35' setback applied to both the front and south side of the property. As I understand, a 35' setback is typically applied to the front of the property, and a side setback adjacent a roadway is some percentage less than the front setback. Currently the home is built over the 35' setback that has been applied to the side of the property, as shown in the site survey.

The deck is, and will be, located on the westward facing exterior wall of the home. I would like to propose to extend the deck to the southern edge of the home and extend the deck out an additional 4' from the westward facing wall.

Also shown below is the current deck/porch compared to the proposed layout. For convenience, I have added the blue arrow to point out the location of the variance being requested.

