



APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: \_\_\_\_\_

Application Number: V21-040

Mayor and Council Date: 5/3/21

APPLICANT: Stan and Laura Thompson

Representative's Name (print): \_\_\_\_\_

Address: 3766 Ashwood Dr SE, Smyrna, GA 30080

Business Phone: 678-503-3048 Cell Phone: 678-575-5675 Home Phone: \_\_\_\_\_

E-Mail Address: garanger@charter.net

Signature of Representative: Laura Thompson

TITLEHOLDER: Stan and Laura Thompson

Address: 3766 Ashwood Dr SE, Smyrna, GA 30080

Business Phone: 678-503-3048 Cell Phone: 678-575-5675 Home Phone: \_\_\_\_\_

Signature: [Signature] Laura Thompson

VARIANCE:

Present Zoning: R20 Type of Variance: rear setback

Explain Intended Use: garage with storage space above

Location: Ashwood Dr between Twin Oaks and Hickory Circle

Land Lot(s): LL554/LL559 District: R-20 Size of Tract: 0.44 Acres

(To be completed by City)

Received: 4/9/21

Legal Ad Posted: \_\_\_\_\_

Signs Posted: \_\_\_\_\_

Approved/Denied: \_\_\_\_\_

**CONTIGUOUS ZONING**

North: R-15

East: R-20

South: R-12

West: R-20

**NOTIFICATION OF CONTIGUOUS OCCUPANTS  
OR LANDOWNERS**

By signature, it is hereby acknowledged that I have been notified that Stan and Laura  
Thompson

Intends to make an application for a variance for the purpose of building a 3-car garage  
with storage above

\_\_\_\_\_ on the premises described in the application.

NAME	ADDRESS
<u>Foster deButts</u>	<u>3765 Ashwood Dr. Smyrna</u>
<u>Kenny McCann</u>	<u>3755 Ashwood Dr. 30680</u>
<u>John's</u>	<u>3741 Hickory Rd 30001</u>
_____	_____
_____	_____
_____	_____
_____	_____

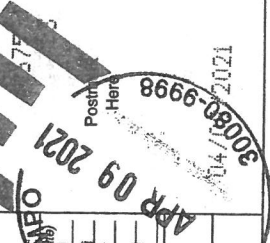
Please have adjacent property owners sign this form to acknowledge they are aware of your variance request. You may also provide certified mail receipts of notification letters sent to adjacent properties. Notification letters shall include a description of the requested variance, the Mayor and Council Meeting date and time, and a copy of the completed variance application. Adjacent and adjoining properties include any property abutting the subject property as well as any properties directly across a street.

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**OFFICIAL RECEIPT**

SMYRNA, GA 30080  
 Certified Mail Fee \$3.60  
 Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$7.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00  
 Postage \$1.20  
**Total Postage and Fees \$7.65**



Sent To Taylor Smalling  
3758 Ashwood Dr SE  
Smarna, GA 30080  
 Street and Apt. No., or PO Box No.  
 City, State, ZIP+4®  
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

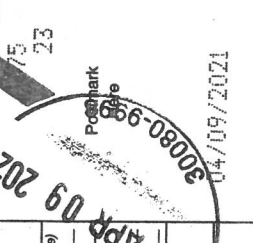
2025 0490 4000 5076 3220

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**OFFICIAL RECEIPT**

ATLANTA, GA 30319  
 Certified Mail Fee \$3.60  
 Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$7.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00  
 Postage \$1.20  
**Total Postage and Fees \$7.65**



Sent To Cumberland Pointe Apartments  
1200 Lake Hearn Dr Suite 200  
Atlanta, GA 30319  
 Street and Apt. No., or PO Box No.  
 City, State, ZIP+4®  
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

2025 0490 4000 5076 3305

**Stan and Laura Thompson**

3766 Ashwood Dr SE

Smyrna, GA 30080

678.575.5675

April 8, 2021

Taylor Smalling  
3758 Ashwood Dr SE  
Smyrna, GA 30080

RE: Variance Application for 3766 Ashwood Dr SE, Smyrna, GA

Dear Taylor:

As I texted you earlier this week, we are applying for a variance to build a three-car garage on our property. Our house, built in 1972, was built 25' from our property line. At some point after that, the city of Smyrna adopted ordinances which require rear setbacks to be 35' from the property line. So that our garage addition may better blend with our home, rather than becoming a central focus, we are requesting a variance to align the rear of the garage with our home at the same 25' from the rear of the property.

I kept looking for you for your signature, but you must be out of town. In order to meet the application deadline, I have to submit it tomorrow, Friday, April 9. This letter is to provide you with a copy of our variance application since we were unable to show it to you in person. The variance meeting will be on May 3.

Sincerely,

  
Stan and Laura Thompson

Enclosure

**Stan and Laura Thompson**

3766 Ashwood Dr SE

Smyrna, GA 30080

678.575.5675

April 8, 2021

Cumberland Pointe Apartments Holdings LLC  
1200 Lake Hearn Dr Suite 200  
Atlanta, GA 30319

RE: Variance Application for 3766 Ashwood Dr SE, Smyrna, GA

Dear Sirs and Madams:

We reside at 3766 Ashwood Dr SE, Smyrna, GA 30080 directly behind the property at 1202 Wexford Hills Pkwy known as Cumberland Pointe Apartments. We are applying for a variance to build a three-car garage on our property. Our house which was built in 1972 was built 25' from our property line. At some point after that, the city of Smyrna adopted ordinances which require rear setbacks to be 35' from the property line. So that our garage addition may better blend with our home, rather than becoming a central focus, we are requesting a variance to align the rear of the garage with our home at the same 25' from the rear of the property.

This letter is to provide Cumberland Pointe Apartments with a copy of our variance application. The variance meeting will be on May 3.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stan and Laura Thompson', written in a cursive style.

Stan and Laura Thompson

Enclosure

**ZONING ORDINANCE**  
**SECTION 1403 VARIANCE REVIEW STANDARDS**

In rendering its decisions, the 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**

*See attached*

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We are applying for a setback variance to match our current home, built in 1972. Per our site plan, our house is 25' from the rear of our property line, which is already a non-conforming structure. Our addition consists of a 3-car garage with storage above that would have access to the rear of our home. At 25', this will allow us to better match the existing structure as well as not having the garage extend too far in the front. We would like for the garage to be an addition, not the central focus.

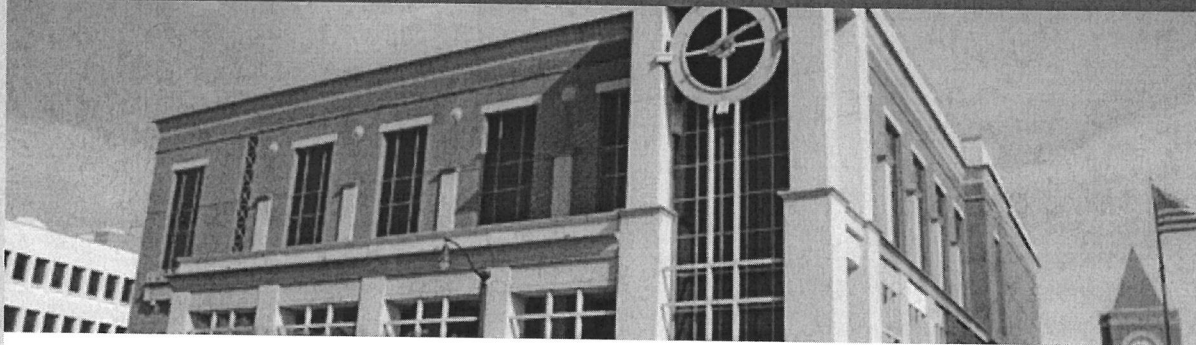
Our property has a 20' drainage easement in the rear. Even with the granting of the variance to build within 25' of the property line, we would not enter the drainage easement nor would we be too close to our rear neighbors, an apartment complex. Their rear setback requirement is 40', and there have not been any additions to the complex in the 20+ years we have lived in our home.



**From:** Cobb County - GA <no-reply@cobbtaxpayments.org>  
**Sent:** Wednesday, October 14, 2020 2:36 PM  
**To:** garanger@charter.net  
**Subject:** Payment Submitted



## Cobb County - GA



### PAYMENT SUBMITTED!

**Transaction ID** fp7E4AE105827EBAA4A  
**Total Paid** \$2,582.03

[View Details](#)

Item	Amount
<b>Item Number:</b> 7BCF61	<b>\$2,582.03</b>
<b>Jurisdiction:</b> 000	
<b>TaxYear:</b> 2020	
<b>RollType:</b> RE	
<b>ParcelID:</b> 17055400800	
<b>RecordType:</b> ORG	
<b>Transaction Fee</b>	<b>\$0.00</b>
<b>Total</b>	<b>\$2,582.03</b>

This email has been sent to you by Cobb County - GA (or its subsidiary).

[Click here to unsubscribe.](#) You will stop receiving any e-mails including bill notifications and payment receipts.

**From:** ACI Payments, Inc. - Customer Service <customerservice@officialpayments.com>  
**Sent:** Wednesday, November 11, 2020 9:10 AM  
**To:** L Thompson  
**Subject:** Confirmation of Electronic Check Payment

Dear ACI Payments, Inc. Customer:

Thank you for selecting ACI Payments, Inc. for your electronic check payment of Real Estate Tax. Your payment of \$1150.40 was sent to Smyrna, City of on 11-11-2020. The confirmation number is MYV5Y80ML.

Please note: Successful completion of the payment transaction is conditional upon accurate and complete information being entered by you. It is subject to financial institution and biller acceptance, approval and authorization of the payment. The payment transaction will debit your bank account and will appear on your next statement. If you believe this transaction is in error or is fraudulent, please contact your bank immediately.

Again, thank you for using ACI Payments, Inc. We hope you enjoy the convenience of using an electronic check for your future payment needs.

Customer Service

ACI Payments, Inc.

Questions? Call toll-free 1-800-487-4567.

IMPORTANT SECURITY INFORMATION FROM ACI Payments, Inc. Please keep in mind that ACI Payments, Inc. will never call and ask for personal information including financial account information and PIN, send e-mail containing attachments or require you to send personal information to us via e-mail. Any unsolicited request for ACI Payments, Inc.' account information should be considered fraudulent and reported immediately to ACI Payments, Inc.

[Make a payment](#)

[See what I can pay](#)

[Log in to My Account](#)



THIS PLAT HAS BEEN PREPARED TO REVISE LOTS 4 & 5 BLOCK "B" AND LOTS 5 & 6 BLOCK "J" AND CURVE NO. 9 EAST TWIN OAKS DRIVE.

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING BOARD OF COBB COUNTY, GEORGIA AND IS APPROVED BY SUCH PLANNING BOARD.

DATED THIS 18<sup>th</sup> DAY OF Oct. 1960  
 THE PLANNING BOARD OF COBB COUNTY, GEORGIA  
 BY: *W.F. Carney* CHAIRMAN  
 BY: *C.C. Moore* SECRETARY  
*Hubert C. McCallum*

COMMISSIONER OF ROADS AND REVENUES  
 COBB COUNTY, GA.

**PROTECTIVE COVENANTS**

LOTS SHOWN ON THIS PLAT ARE SOLD SUBJECT TO THE FOLLOWING RESTRICTIONS WHICH ARE COVENANTS RUNNING WITH THE LAND MAY BE ENFORCED BY THE OWNER OF ANY LOT SHOWN HEREON AND SHALL REMAIN IN FULL FORCE AND EFFECTIVE UNTIL JANUARY 1, 1975.

1. SAID LOTS SHALL BE USED FOR SINGLE FAMILY RESIDENCE PURPOSES ONLY.
2. NO TEMPORARY HOUSE, SHACK, OR TENT SHALL BE ERRECTED ON SAID PROPERTY TO BE USED FOR RESIDENCE OR CHURCH PURPOSES. NO SCHOOL OR KINDERGARTEN SHALL BE OPERATED ON ANY LOT.
3. NO LOT SHALL BE RESUBDIVIDED NOR SHALL MORE THAN ONE HOUSE BE ERRECTED ON ANY LOT.
4. NO HOUSE SHALL BE ERRECTED NEARER THAN 45' TO THE STREET ON WHICH IT FACES NOR NEARER TO ANY SIDE LINE THAN 8', EXCEPT AS SHOWN.
5. NO HOUSE SHALL BE ERRECTED ON ANY LOT THAT COSTS LESS THAN \$18,000.00 NOR SHALL ANY ONE-STORY HOUSE HAVING LESS THAN 1200 SQUARE FEET OF FLOOR SPACE EXCLUSIVE OF CARPORT OR PORCHES, NOR ANY TWO-STORY HOUSE HAVING LESS THAN 900 SQUARE FEET BE ERRECTED ON THE FIRST FLOOR.
6. IT IS THE INTENTION OF THE SUBDIVIDER THAT THIS ENTIRE SUBDIVISION SHALL BE ANNEXED INTO THE CITY OF SMYRNA, PROVIDED THE CITY OF SMYRNA WILL ACCEPT THE ANNEXATION. ACCORDINGLY THE RESTRICTION IS HEREBY ESTABLISHED UPON THIS LAND AND EACH PURCHASER SHALL BE DEEMED TO HAVE PURCHASED SAID PROPERTY WITH NOTICE THEREOF, AND SHALL BE BOUND HEREBY THAT HE WILL SUPPORT AN APPLICATION FOR ENTRY INTO THE CITY AND WILL NOT OPPOSE ANY SUCH ACTION. IN PURCHASING ANY LOT THE PURCHASER SHALL THEREBY BE DEEMED TO HAVE CONSENTED TO SAID ANNEXATION TO THE CITY OF SMYRNA.

**CENTERLINE CURVE DATA**

CURVE NO.	DELTA	DEGREE	TANGENT	LENGTH	RADIUS
1	75° 44'	21° 30'	200.0'	343.1'	266.9'
2	120° 16'	27° 22' 30"	364.5'	439.35'	209.3'
3	30° 28'	20° 53'	78.0'	146.5'	274.4'
4	74° 07'	28° 50'	180.1'	287.1'	198.7'
5	82° 00' 30"	31° 30'	265.7'	417.9'	266.5'
6	18° 25'	6° 00'	103.9'	207.0'	954.9'
7	25° 58'	37° 56'	59.8'	77.9'	150.9'
8	38° 40'	41° 43'	40.3'	78.3'	157.4'
9	85° 30'	38° 38'	137.7'	221.3'	188.3'
10	2° 55'	5° 00'	29.2'	58.3'	1158.9'
11	3° 18'	6° 00'	26.8'	53.6'	954.5'

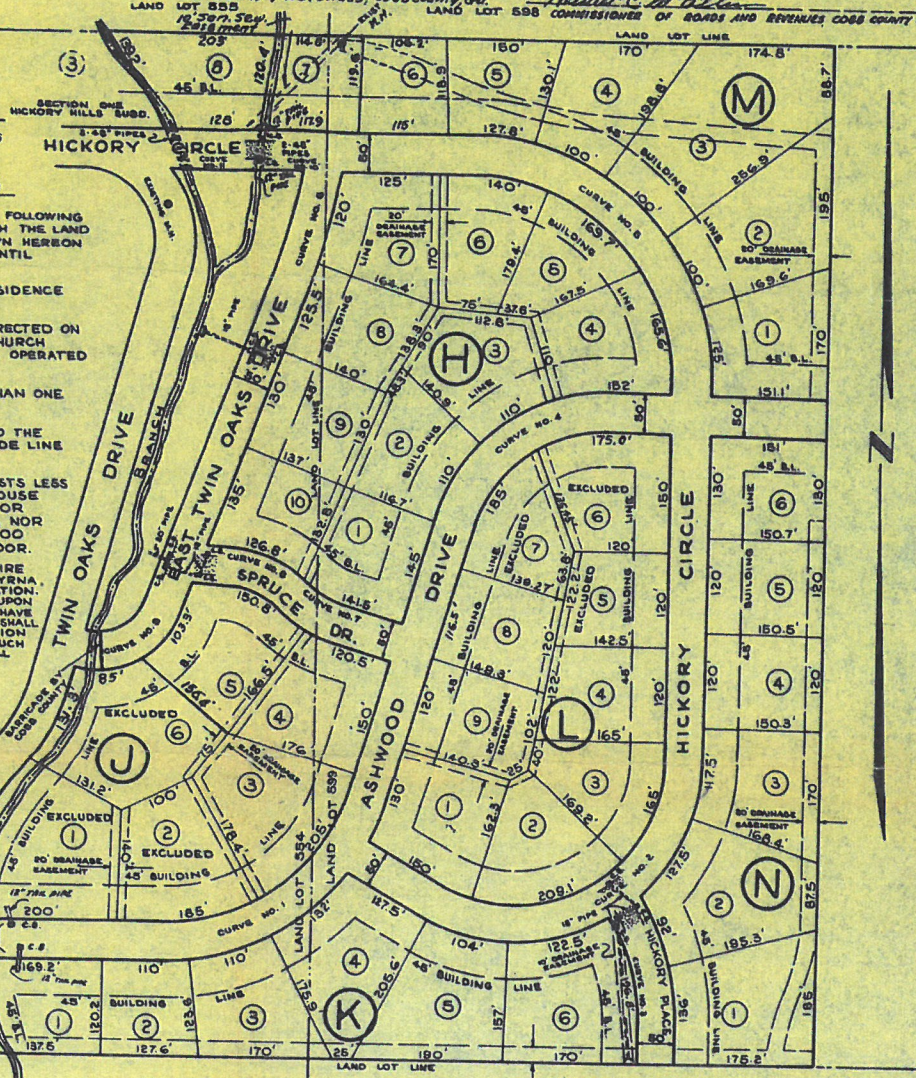
This plat has been prepared to revise frontage on Lots 6, 7 & 8 Block L & Lots 5 & 6 Block J. This Plat has been submitted to and considered by the Planning Board of Cobb County, Georgia and is approved by such Planning Board.  
 Dated this 30<sup>th</sup> day of Nov. 1959  
 The Planning Board of Cobb County, Ga.

THIS PLAT HAS BEEN PREPARED TO REVISE LOTS 4 & 6 BLOCK "K" AND LOTS 6, 7 & 8 BLOCK "M" AND TWIN OAKS DRIVE.

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING BOARD OF COBB COUNTY, GEORGIA AND IS APPROVED BY SUCH PLANNING BOARD.  
 DATED THIS DAY OF Oct. 1961  
 THE PLANNING BOARD OF COBB COUNTY, GEORGIA.

BY: *W.F. Carney* CHAIRMAN  
 BY: *Hubert C. McCallum* SECRETARY

BY: *W.F. Carney* Chairman  
 BY: *Hubert C. McCallum* Secretary  
 BY: *Hubert C. McCallum* Commissioner of Roads & Revenues, Cobb County, Ga.



THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, AND WHO IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINAGE EASEMENTS AND THEREIN EXPRESSED.

*Frank J. Feltz* OWNER

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

*A. J. Giometti, P.E.*

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING BOARD OF COBB COUNTY, GEORGIA AND IS APPROVED BY SUCH PLANNING BOARD.

DATED THIS 23<sup>rd</sup> DAY OF November 1959  
 THE PLANNING BOARD OF COBB COUNTY, GEORGIA

BY: *W.F. Carney* CHAIRMAN  
 BY: *Hubert C. McCallum* SECRETARY

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE COMMISSIONER OF ROADS AND REVENUES OF COBB COUNTY, GEORGIA, AND IS APPROVED SUBJECT TO THE PROTECTIVE COVENANTS.

DATED THIS 24<sup>th</sup> DAY OF November 1959

*Hubert C. McCallum*  
 COMMISSIONER OF ROADS AND REVENUES,  
 COBB COUNTY, GEORGIA

NOTE:  
 IRON PINS PLACED AT ALL CORNERS.

**SECTION TWO  
 HICKORY HILLS  
 SUBDIVISION**

LAND LOTS 554 & 599 17<sup>th</sup> DISTRICT  
 SECOND SECTION COBB COUNTY, GA.  
 SCALE: 1"=100' SEPTEMBER 21, 1959

**RUPPE & GIOMETTI ENGRS., INC.**  
 ATLANTA, GEORGIA