

# APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 4

Application No: V21-047

Hearing Date: 6/7/21

APPLICANT: Sarah Broadley and Caldwell Smith

Business Phone: \_\_\_\_\_ Cell Phone: 407 756 2349 Home Phone: \_\_\_\_\_

Representative's Name (print): Caldwell Smith

Address: 360 Havilon Way SE, Smyrna, GA 30082

Business Phone: \_\_\_\_\_ Cell Phone: 361 945 9180 Home Phone: \_\_\_\_\_

E-Mail Address: caldwellasmith@gmail.com

Signature of Representative: 

TITLEHOLDER: Sarah Broadley and Caldwell Smith

Business Phone: \_\_\_\_\_ Cell Phone: 407 756 2349 Home Phone: \_\_\_\_\_

Address: 360 Havilon Way SE, Smyrna, GA 30082

Signature: 

## VARIANCE:

Present Zoning: Residential Type of Variance: Fence Ordinance

Explain Intended Use: Seeking to extend current backyard fencing to reach no closer than 15 ft to the street's curb. Property is on busy road and unfenced yard is not safe for residents to properly utilize.

Location: 360 Havilon Way SE, Smyrna, GA 30082

Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Size of Tract: .47 Acres

(To be completed by City)

Received: 5/11/21

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

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

**CONTIGUOUS ZONING**

North: Residential

East: Residential

South: Residential

West: Residential

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

By signature, it is hereby acknowledged that I have been notified that Sarah Broadley  
and Caldwell Smith

Intends to make an application for a variance for the purpose of extending the current fence  
line closer to Concord Rd.

on the premises described in the application.

**NAME**

**ADDRESS**

Tom Rogers

370 HAVILON WAY SE

Doug Roberts

28 MAR 2021

103 OAK FOREST DR

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

359 Haulon Way  
Smyrna GA, 30082



9590 9402 4843 9032 7611 97

2. Article Number (Transfer from carrier label)

7020 2450 0002 2172 1003

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *CM 29* ☒ Agent ☐ Addressee
- B. Received by (Printed Name) *CM 29* C. Date of Delivery *4/22*
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type
- ☒ Adult Signature
  - ☐ Adult Signature Restricted Delivery
  - ☐ Certified Mail®
  - ☐ Certified Mail Restricted Delivery
  - ☐ Collect on Delivery
  - ☐ Collect on Delivery Restricted Delivery
  - ☐ Restricted Delivery
  - ☐ Priority Mail Express®
  - ☐ Registered Mail™
  - ☐ Registered Mail Restricted Delivery
  - ☐ Return Receipt for Merchandise
  - ☐ Signature Confirmation™
  - ☐ Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

360 Concord Rd  
Smyrna GA, 30082



9590 9402 4843 9032 7612 03

2. Article Number (Transfer from carrier label)

7020 2450 0002 2172 1018

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *CM 29* ☒ Agent ☐ Addressee
- B. Received by (Printed Name) *CM 29* C. Date of Delivery *4/22*
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type
- ☒ Adult Signature
  - ☐ Adult Signature Restricted Delivery
  - ☐ Certified Mail®
  - ☐ Certified Mail Restricted Delivery
  - ☐ Collect on Delivery
  - ☐ Collect on Delivery Restricted Delivery
  - ☐ Restricted Delivery
  - ☐ Priority Mail Express®
  - ☐ Registered Mail™
  - ☐ Registered Mail Restricted Delivery
  - ☐ Return Receipt for Merchandise
  - ☐ Signature Confirmation™
  - ☐ Signature Confirmation Restricted Delivery

## 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

Our property currently sits on the corner of Concord Road and Havilon Rd. Concord road is a very busy street with no traffic light or stop sign in the low visibility area of the intersection. Our backyard fence current stops 51 feet from the road, leaving an area of approximately 2,673 square feet that we are unable to utilize due to the constant traffic on Concord Road. This area represents approximately 13% of our total property size.

Last year we had our first child, a very active daughter. As she becomes mobile and grows to play on our property, we are asking that you allow us to extend the current 6 foot fence an additional 33 feet closer to Concord Road. The fence's final distance from the curb would be just over 18 feet. This would allow us to utilize a larger part of our backyard for our daughter's activities and enjoy our property more as a family, while still keeping the fence far enough from the road's curb to not impact road visibility for us or our neighbors. We are excited to continue growing our family in the Bennett Woods neighborhood, and to continue investing in our property and allow our family to play and enjoy our space without risk of the busy Concord Rd traffic





Printed: 4/27/2021

## Cobb County Online Tax Receipt

Thank you for your payment!

**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: 770-528-8600  
Fax: 770-528-8679

Payer:  
NAVY FEDERAL CREDIT UNION

**SMITH CALDWELL A & BROADLEY SARAH**  
**N**

**Payment Date: 10/8/2020**

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2020	17031100270	10/15/2020	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$3,503.10	\$0.00	



Scan this code with your  
mobile phone to view  
this bill!

## Real Estate (Your House or Land)

View Bill

[View Bill image](#)

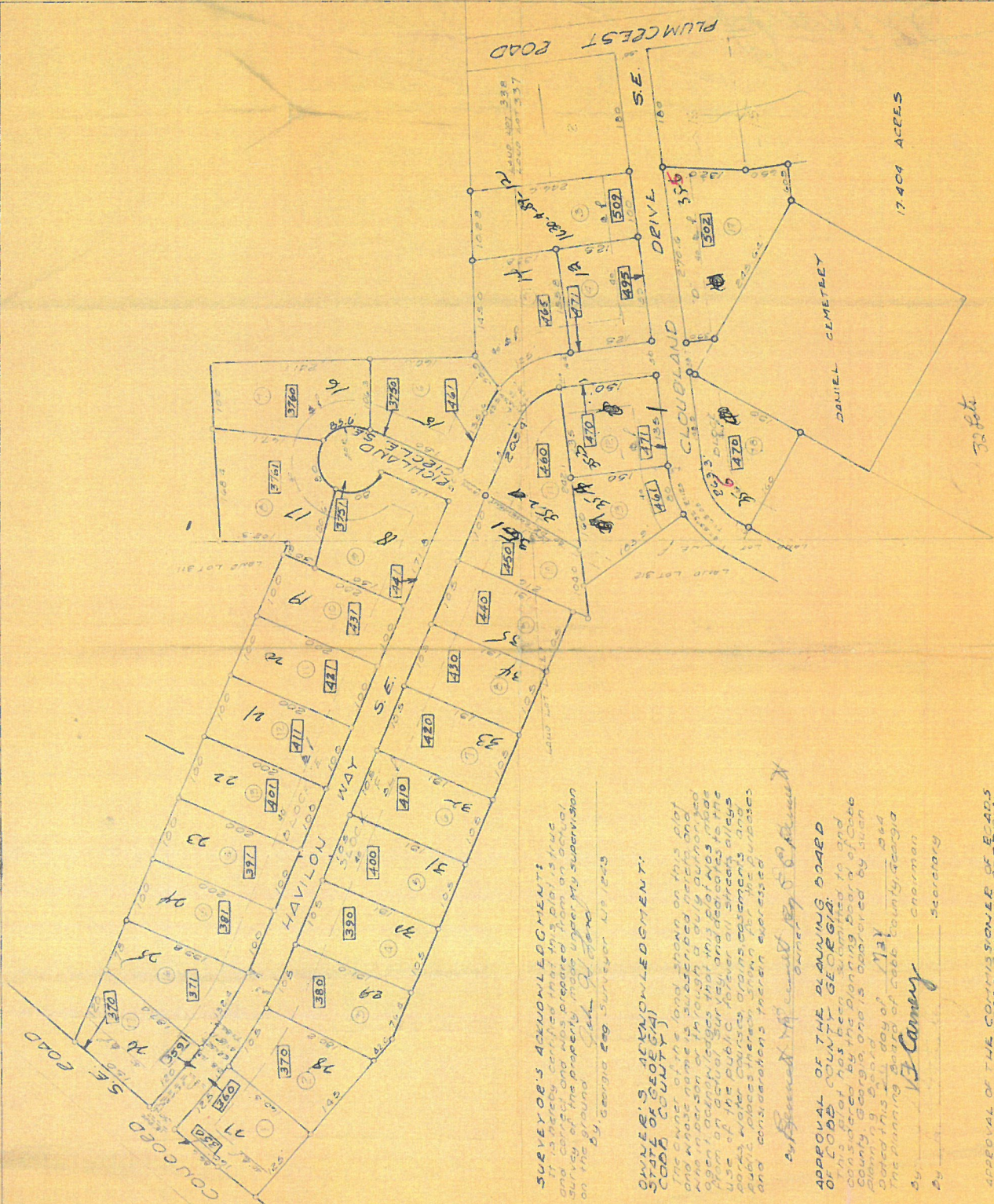
**As of** 4/27/2021  
**Bill Year** 2020  
**Bill** 15393  
**Owner** SMITH CALDWELL A & BROADLEY SARAH N  
**Parcel ID** 17031100270

[View Payments/Adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	11/16/2020	\$1,145.61	\$1,145.61	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>		\$1,145.61	\$1,145.61	\$0.00	\$0.00	\$0.00

- View Bill
- Charges
- Property Detail
- Owner Information
- Assessment
- Assessment History
- Tax Rates





UNIT THREE  
 "DENNETT WOODS"  
 LAND LOTS 31, 32, 33, 34, 35, 36, 37, 38, 39, 40  
 COBB COUNTY, GEORGIA  
 SURVEYED BY: [Signature]  
 1944

17.404 ACRES  
 51206.4  
 PLAT BOOK NO. PAGE 82

**SURVEYOR'S ACKNOWLEDGMENT:**  
 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. Signed: [Signature]  
 Surveyor No. 1243

**OWNER'S ACKNOWLEDGMENT:**  
 The owner of the land shown on this plat and whose name is subscribed hereon, and who is the owner of the land shown on this plat, do hereby acknowledge that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground. Signed: [Signature]  
 Owner

**APPROVAL OF THE PLANNING BOARD OF COBB COUNTY, GEORGIA:**  
 This plat has been submitted to and considered by the Planning Board of Cobb County, Georgia, and is approved by such body on this day of May, 1944.  
 The Planning Board of Cobb County, Georgia  
 By: [Signature] Chairman  
 [Signature] Secretary

**APPROVAL OF THE COMMISSIONER OF LANDS AND REVENUES OF COBB COUNTY, GEORGIA:**  
 This plat has been submitted to and considered by the Commissioner of Lands and Revenues of Cobb County, Georgia, and is approved by such body on this day of May, 1944.  
 [Signature]  
 Commissioner of Lands and Revenues  
 Cobb County, Georgia







