



Freeman
Mathis & Gary LLP

100 Galleria Parkway
Suite 1600
Atlanta, GA 30339-5948

Tel: 770.818.0000

www.fmglaw.com

Wayne S. Melnick*

D: 770-818-4256

C: 404-435-7373

*Admitted in Georgia
and Florida

wmelnick@fmglaw.com

August 21, 2022

City of Smyrna, Zoning Board Variance

Re: Variance Request, Melnick Residence, 1921 Sadler Drive, SE, Smyrna, Georgia

To Whom It May Concern:

I hope this correspondence finds you well. My wife, Laura, and I recently bought 1921 Sadler Drive in Smyrna after living in Marietta for 14 years and raising a family there. When we purchased our home, we do so with the express intent to build a beautiful and appropriate pool in our backyard. Prior to our purchase, we cleared our intent with the Stonegate Manor homeowner's association which provided us with all documents needed to be submitted to obtain approval. We commissioned the necessary topographical survey and worked with Bellareed Luxury Pools to design a yard-appropriate pool. We took care to ensure that we did not impact or otherwise encroach on the drainage easement in our back yard.

Once the pool design was complete, we submitted all required paperwork to our homeowner's association including the signatures and approval of our next-door neighbors on either side of our home. After careful consideration, the homeowner's association granted the needed approval.

The final step prior to breaking ground is this requested hardship variance. As part of the application process, we needed to not only again obtain the approval of our next-door neighbors, but all adjacent neighbors as well. As can be seen on our application, we obtained all needed approval signatures. Those neighbors who would be either directly or indirectly effected by the requested hardship variance have no objection to same.

The hardship for which this variance is requested results from conditions that are peculiar to our property. Specifically, the size of the property, the proximity of the 75' buffer and the lack of possibility to revegetate the buffer along with the drain easements that are in our front and backyards. It is important to note that the hardship is not self-created. Because of the unique conditions, unnecessary hardship would result from the strict application of the ordinance.

Finally, I want to draw your attention to the fact that two other pools were recently build within or without our subdivision (including one by Bellareed). The granting of the requested hardship variance and building of our pool will increase property values which is to the benefit of all members of Stonegate Manor.



Freeman
Mathis & Gary LLP

City of Smyrna, Zoning Board Variance
August 22, 2022
Page 2

If I can provide any additional information or be of further assistance, please do not hesitate to reach out to me. Otherwise, I appreciate the work of the board and thank you in advance for your consideration.

With best regards, I remain,

Very truly yours,

FREEMAN MATHIS & GARY, LLP

A handwritten signature in blue ink, appearing to read "Wayne S. Melnick", written over a horizontal line.

Wayne S. Melnick

WSM/idt

cc: Laura B. Melnick (via email only)
Bellareed Pools (via email only)