



RESIDENTIAL AND NON-RESIDENTIAL VARIANCE APPLICATION

City of Smyrna Community Development Department, 3180 Atlanta Rd, Smyrna, GA 30080
Office Phone 770-319-5387 / Fax 770-431-2808

Variance applications are due Thursday by 12 pm, 20 days prior to the License and Variance Board Meeting. Applications are to be submitted to the Community Development Office located on the 2nd floor of Brawner Hall at 3180 Atlanta Road, Smyrna, GA 30080.

The License and Variance Board meets the 2nd and 4th Wednesday of each month. Hearings begin at 10 am in the Council Chambers in City Hall at 2800 King Street, Smyrna, GA 30080. (If the City is under Covid-19 protocol, the meeting will be held in the large gym of the Smyrna Community Center located at 200 Village Green Circle, Smyrna, GA 30080.) Notification of meeting location will be provided after acceptance of the variance application.

The following materials and information must be provided in the variance application upon submittal:

1. Location of property, to be identified by land lot number, street address, and present zoning classification. Also, general descriptive information such as major streets or other well-known landmarks.
2. A comprehensive narrative detailing the extraordinary and exceptional conditions which will necessitate a nonconforming use. See Zoning Ordinance Section 1403 - Variance Review Standards on Page 4 of the application. **(Required)**
3. Signature of the subject property owners or in the case of a corporation a duly authorized officer.
4. A copy of the plat of the subject property.
5. A to-scale site plan, if constructing a new structure or an addition to an existing structure on the subject property.
6. An elevation, rendering or photographic example of the structure, if constructing a new structure or an addition to an existing structure on the subject property. Also, a brief description of building and exterior materials proposed for the structure must accompany elevation, rendering or photographic example.
7. A copy of the paid tax receipts (**City and County**) for the subject property or a statement signed by an official in the Tax Commissioner's Office. If the application consists of several tracts, a copy of the paid tax receipts of each tract is required.
8. The petitioner shall notify all adjacent and abutting property owners by delivering a copy of the variance petition by hand delivery or by certified mail with return receipt requested. For the purposes of this section, adjacent shall also include parcels separated by a publicly dedicated right-of-way.
9. Application fee is:
 \$450 per Commercial Variance, or
 \$250 per Residential Variance, plus \$50 per additional variance



**APPLICATION FOR VARIANCE
TO THE CITY OF SMYRNA**

Type or Print Clearly

(To be completed by City)

Ward: _____

Application Number: _____

Variance Meeting Date: _____

APPLICANT: _____

Representative's Name (print): Steve and Corrie Henson

Address: 2630 Devin Court Smyrna, GA 30080

Business Phone: _____ Steve: 404-576-6077
Cell Phone: Corrie: 828-200-2952 Home Phone: _____

E-Mail Address: Steve: shenson@whitefieldacademy.com / Corrie: chenson@whitefieldacademy.com

Signature of Representative: *Steve Henson*

TITLEHOLDER: _____

Address: 2630 Devin Court Smyrna, GA 30080

Business Phone: _____ Steve: 404-576-6077
Cell Phone: Corrie: 828-200-2952 Home Phone: _____

Signature: *Steve Henson*

VARIANCE:

Present Zoning: RDA Type of Variance: Variance 1: Setback reduction from 20' to 13' (with a 7' buffer zone for landscaping at the rear property line). Variance 2: Secondary accessory structure.

Explain Intended Use: (1) Installation of residential pool and (2) installation of storage shed for bicycles in the back yard of the property.

Location: 2630 Devin Court Smyrna, GA 30080

Land Lot(s): 11 District: Riley's Walk Size of Tract: 7,320 S.F. or .1680 Acres

(To be completed by City)

Received: _____

Legal Ad Posted: _____

Signs Posted: _____

Approved/Denied: _____

CONTIGUOUS ZONING

North: RDA

East: RDA

South: RDA

West: RDA

**NOTIFICATION OF CONTIGUOUS OCCUPANTS
OR LANDOWNERS**

By signature, it is hereby acknowledged that I have been notified that Steve and Corrie Henson of 2630 Devin Court
Smyrna, GA 30080

Intends to make an application for a variance for the purpose of a residential swimming pool and storage shed structure

on the premises described in the application.

NAME	ADDRESS
<u>Marcia Gipson (Lot 10)</u> <i>Marcia Gipson</i>	<u>2622 Devin Court Smyrna GA 30080</u>
<u>Brett & Pam Little (Lot 12)</u> <i>Brett & Pam Little</i>	<u>2638 Devin Court Smyrna GA 30080</u>
<i>Charles B Soileau</i> <u>Charles B Soileau</u>	<u>1386 Marston Street Smyrna GA 30080</u>
<u>GREG GEGNER</u>	<u>2631 Devin Ct Smyrna GA</u> <u>30080</u>
<i>Marsha Massingill</i> <u>MARSHA MASSINGILL</u>	<u>2630 Highland Ave</u> <u>Smyrna GA 30080</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 License and Variance Board 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.

See certified letter sent receipt

ZONING ORDINANCE
SECTION 1403 VARIANCE REVIEW STANDARDS

In rendering its decisions, the License and Variance Board 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

In the backyard of the property address 2630 Devin Court, we seek to install a residential swimming pool with the
estimated dimensions of 25' x 15' and attached hot tub of 6' x 6'. Additionally, we seek to place a storage shed
not to exceed the dimensions of 10' x 12' for the purpose of family bicycle storage. Currently a 20' setback
regulation is in effect for the property from the rear property line as an undisturbed buffer. Because the property is
40' total from rear property line to the house structure, we are requesting a variance to encroach upon the 20'
buffer by 13' while keeping a 7' undisturbed landscape buffer between the rear property line and the residential
swimming pool.

License and Variance Board Meeting Dates 2021

Submittal Deadline: <u>03/22/2021</u> Post Property: <u>03/29/2021</u> Variance Hearing: <u>04/14/2021</u> at 10 am <i>(Applicant Must Attend)</i>	Submittal Deadline: <u>04/09/2021</u> Post Property: <u>04/16/2021</u> M&C Hearing: <u>05/03/2021</u> at 7 pm <i>(Applicant Must Attend)</i>
Submittal Deadline: <u>04/23/2021</u> Post Property: <u>04/30/2021</u> M&C Hearing: <u>05/17/2021</u> at 7 pm <i>(Applicant Must Attend)</i>	

Submittal Deadline: <u>05/14/2021</u> Post Property: <u>05/21/2021</u> M&C Hearing: <u>06/07/2021</u> at 7 pm <i>(Applicant Must Attend)</i>	Submittal Deadline: <u>05/28/2021</u> Post Property: <u>06/04/2021</u> M&C Hearing: <u>06/21/2021</u> at 7 pm <i>(Applicant Must Attend)</i>
Submittal Deadline: <u>06/24/2021</u> Post Property: <u>06/28/2021</u> Variance Hearing: <u>07/14/2021</u> at 10 am <i>(Applicant Must Attend)</i>	

Submittal Deadline: <u>07/08/2021</u> Post Property: <u>07/12/2021</u> Variance Hearing: <u>07/28/2021</u> at 10 am <i>(Applicant Must Attend)</i>	Submittal Deadline: <u>07/22/2021</u> Post Property: <u>07/26/2021</u> Variance Hearing: <u>08/11/2021</u> at 10 am <i>(Applicant Must Attend)</i>
Submittal Deadline: <u>08/05/2021</u> Post Property: <u>08/09/2021</u> Variance Hearing: <u>08/25/2021</u> at 10 am <i>(Applicant Must Attend)</i>	

License and Variance Board Meeting Dates 2021

Submittal Deadline: 08/19/2021 Submittal Deadline: 09/02/2021 Submittal Deadline: 09/23/2021
Post Property: 08/23/2021 Post Property: 09/06/2021 Post Property: 09/27/2021
Variance Hearing: 09/08/2021 at 10 am Variance Hearing: 09/22/2021 at 10 am Variance Hearing: 10/13/2021 at 10 am
(Applicant Must Attend) (Applicant Must Attend) (Applicant Must Attend)

Submittal Deadline: 10/07/2021 Submittal Deadline: 10/21/2021 Submittal Deadline: N/A
Post Property: 10/11/2021 Post Property: 10/25/2021 Post Property: N/A
Variance Hearing: 10/27/2021 at 10 am Variance Hearing: 11/10/2021 at 10 am Variance Hearing: Holiday at 10 am
(Applicant Must Attend) (Applicant Must Attend) (Applicant Must Attend)

Submittal Deadline: 11/18/2021 Submittal Deadline: N/A
Post Property: 11/22/2021 Post Property: N/A
Variance Hearing: 12/08/2021 at 10 am Variance Hearing: N/A at 10 am
(Applicant Must Attend) (Applicant Must Attend)