



APPLICATION FOR VARIANCE  
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 4

Application Number: V21-097-098

Variance Meeting Date: \_\_\_\_\_

APPLICANT: Peter Golaszewski

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

Address: 3840 Highview Terrace

Business Phone: \_\_\_\_\_ Cell Phone: 404 313-9091 Home Phone: \_\_\_\_\_

E-Mail Address: peterc gola@gmail.com

Signature of Representative: PG

TITLEHOLDER: Peter Golaszewski

Address: 3840 Highview Terrace

Business Phone: \_\_\_\_\_ Cell Phone: 404 313-9091 Home Phone: \_\_\_\_\_

Signature: PG

VARIANCE:

Present Zoning: R-15 Type of Variance: Area

Explain Intended Use: To expand back yard to create  
larger play area for children

Location: 3840 Highview Terrace

Land Lot(s): 409 District: 17th Dis. Size of Tract: .31 Acres  
2nd Section

(To be completed by City)

Received: 8/19/21

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

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

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



APPLICATION FOR VARIANCE  
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

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

Application Number: \_\_\_\_\_

Variance Meeting Date: \_\_\_\_\_

APPLICANT: Peter Golaszewski

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

Address: 3840 Highview Terrace

Business Phone: \_\_\_\_\_ Cell Phone: 404 313-9091 Home Phone: \_\_\_\_\_

E-Mail Address: petercgola@gmail.com

Signature of Representative: [Signature]

TITLEHOLDER: Peter Golaszewski

Address: 3840 Highview Terrace

Business Phone: \_\_\_\_\_ Cell Phone: 404 313 9091 Home Phone: \_\_\_\_\_

Signature: [Signature]

VARIANCE:

Present Zoning: R-15 Type of Variance: Area

Explain Intended Use: To expand deck to less than 10' from property line for larger outdoor spaces

Location: 3840 Highview Terrace

Land Lot(s): 409 District: 17th Dis. Size of Tract: .31 Acres  
2nd Section

(To be completed by City)

Received: \_\_\_\_\_

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

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

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

**CONTIGUOUS ZONING**

North: \_\_\_\_\_

East: \_\_\_\_\_

South: \_\_\_\_\_

West: \_\_\_\_\_

**NOTIFICATION OF CONTIGUOUS OCCUPANTS  
OR LANDOWNERS**

By signature, it is hereby acknowledged that I have been notified that Peter Golaszewski

Intends to make an application for a variance for the purpose of 6ft fence to  
extend backyard and deck extension to  
less than 10' from property line  
on the premises described in the application.

NAME

ADDRESS

Todd D. Weaver Todd D. Weaver  
Bobby Colwell Bobby Colwell  
Tyler Browning Tyler Browning  
Maria del Carmen Beltranes

3830 Highview Ter SE  
3839 Highview Ter SE  
820 Highview Dr. SE  
811 Highview Dr SE

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.

To whom it may concern,  
My name is Peter Golaszewski, I live directly across the street from 830 Highview Drive at 3840 Highview Terrace. I am requesting a fence variance to obtain a 6ft. fence along the corner of my property and a deck variance to extend my deck on the other side of the property to within 10' of the property line (in between my house and 3830 Highview Terrace). As I do not know who the present owner of this house is and there hasn't been a mailbox there for months, I am sending this via certified mail in hopes that it reaches the owner. Attached is a copy of the completed variance application I have filled out for this purpose. The License and Variance Board Meeting is set for September 8<sup>th</sup>, 2021 at 10am if you'd like to attend. I can also be reached at 404/313-9091. I'd be happy to discuss the matter with you.

Have a nice day.

Sincerely,

Peter Golaszewski

7020 3160 0001 4890 2667

U.S. Postal Service  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Smyrna GA 30082

OFFICIAL USE

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.75
Total Postage and Fees	\$4.35

0675  
11

Postmark  
Here

08/19/2021

Sent To

Street and Apt. No., or PO Box No.

830 HIGHVIEW DRIVE

City, State, ZIP+4®

SMYRNA, GA 30082

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Pertaining to the request for 6ft. fence on corner lot (3840 Highview Terrace) to extended closer to the road, he is my response for the comprehensive narrative:

1. The only extraordinary or exceptional condition to our piece of property is the fact that it is a corner lot, and ordinance 501 does not allow 6ft. fences to extend as close to the road as where we have it. The size of our backyard is constricted because of it. This condition does not allow us to have a full use of our backyard for our growing family (Dog, 2 boys – 5 & 8 years of age). Other properties do not have same condition – quite simply – because a lot of properties are not located on the corner. The old iteration of the backyard was very oddly shaped (see attached pictures in the application) and was cumbersome to have family activities. The extension of the fence will allow for a trampoline to be place level on the bottom of the hill and allow us full use of the play set we have at the top of the hill. In between – we have considered multiple yard games to add that need space – bocce ball court, cornhole, horseshoes.
2. There is / was unfortunately ignorance on the part of the homeowner pertaining to this ordinance. Simple homework was not done pertaining to this ordinance. Please accept my apologies. The fence sits 12 feet from the road presently minus the corner of the fence closest to 811 Highview Drive. In consultation with Joey Staubes from the permit office, he has recommended we move the corner in 1 foot closer to the house (only the corner), which we are more than happy to accommodate. I have spoken directly to or handed out certified mail explaining the situation to all my neighbors affected by this decision and all are in favor of the fence staying as is (that I have spoken too – their signatures are on the attached application).
3. The strict application of the zoning code would result in 2 feet being removed from the top of the fence (closest to the road) or removal of the fence in full 23 feet essentially removing the gains that we have picked up in the backyard. Reasonably, I would like to keep the fence as is so my young children can play in a safe enclosed & larger area in our backyard freely. It also help our family dog with room to roam.
4. I believe the variance proposes allows for us to safely put a level trampoline down. The topography of our land really only allows a few places to put a nice level trampoline on the property. We'd love to have it there without bringing fence in nor altering the height of the fence. There could have been options to make the backyard even larger but we did not move forward with this. That said, I believe this is a fair representation of the space and the minimum variance that makes possible for the use of the property.



Pertaining to the request to expand the deck to less than 10' from property line for a larger outdoor space (3840 Highview Terrace), here is my response for the comprehensive narrative:

1. The only extraordinary or exceptional condition to our property is the fact that we live at the bottom of a hill. We have lived at the bottom of this hill for over 12 years and have often struggled with the topography to make our backyard a very nice entertaining space. I do understand that Smyrna is a very hilly town, so my case isn't unusual, but the problem certainly exists in my backyard. We'd love to have a wonderful dining space or somewhere to put an outdoor ping pong table or other fun uses for the space.  
The more level area we have back there, the more opportunity we believe we'll have to enjoy the space.
2. As is similar to the last fence variance attached to this variance form, there is unfortunate homeowner ignorance pertaining to the rules surrounding building 10' away from the property line. The proposed deck is closer than 10' to the property line. I have spoken directly to or handed out certified mail explaining the situation to all my neighbors affected by this decision and all are in favor of the deck extending out (that I have spoken too – their signatures are on the attached application). As a note to this, all signatures are complete minus 830 Highview Drive, which is presently on the market to be sold (with no one living there for years). I sent this certified mail. So, I spoke directly to 4 of 5. Lastly, in my defense. I begun to live in Smyrna in 2004 and this is my first house. As a first time homeowner, though I've lived in this house a long time, I am sorry for my ignorance. I am not a house flipper. My boys go to King Springs Elementary and I am going to live in Smyrna a very long time. I am making all of these improvements to my house and the city because I truly enjoy living here.
3. The strict application of the relevant provision building 10' out from the property line would really shrink the lower portion of the deck – 25% plus. This is why I am seeking the variance.
4. We could have had options to move the deck outward towards my children's play area, but that would have



infringed on their area of play considering we have to make room for multiple grills and stairs down from the upper deck. That said, I believe this is a fair representation of the space and the minimum variance that makes possible for the use of the property.



## Real Estate (Your House or Land)

[Return to view bill](#)

### Payments/Adjustments

As of 8/17/2021

Bill Year	2020
Bill	6126

Activity	Posted	Entered	Reference #	Paid By/Reference	Amount
Payment	10/7/2020	10/7/2020	2028743	WELLS FARGO	\$526.74

[Return to view bill](#)

©2021 Tyler Technologies, Inc.

**Owner Information**

GOLASZEWSKI PETER &  
GREENE STACIE  
3840 HIGHVIEW TER SE  
SMYRNA, GA 30082

**Payment  
Information**

Status   
Last Payment Date 10/01/2020  
Amount Paid \$2,369.66

**Property  
Information**

Parcel Number 17040900940  
Acres 0  
Assessed Value \$112,852  
Fair Market Value \$282,130  
Tax District 6 - City of  
Smyrna  
Homestead  
Exemption 111 Basic

**Bill Information**

Record Type Parcel  
Bill Type Original  
Tax Year 2020  
Due Date 10/15/2020

**Taxes**

Base Taxes \$2,369.66  
Penalty \$0.00  
Interest \$0.00  
Fees \$0.00  
Good Through  
Balance Due \$0.00

**Property Address**

3840 HIGHVIEW TER

**Jurisdictions**

Taxing Authority	40% Assessed Value	Less Exemption	= Net Tax Value	x Millage	= Tax
SCHOOL GENERAL	112,852	10,000	102,852	0.018900	\$1,943.90
SCHOOL BOND	112,852	0	112,852	0.000000	\$0.00
COUNTY GENERAL	112,852	64,260	48,592	0.008460	\$411.09
COUNTY BOND	112,852	0	112,852	0.000130	\$14.67
STATE	112,852	2,000	110,852	0.000000	\$0.00