# APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward:

| Application No: V10-012 Hearing Date: 2/12/202   |
|--|
| APPLICANT: John T. Holmes  |
| Business Phone: 404-461-3201 Home Phone: 404-461-3201 Home Phone:                                |
| Representative's Name (print): Fin T. Halmes   |
| Address: 4830 Marina LN SE Smyrna, GA 70126  |
| Business Phone: 404-461-3201 Cell Phone: Home Phone:   |
| E-Mail Address: Holmes John 99 esmallen  |
| Signature of Representative:   |
| TITLEHOLDER: John T. Holmes / wikke Holmes   |
| Business Phone: 404-461-3201 Cell Phone: Home Phone:   |
| Address: 50/5 Duxfiel On Se songra GA Jougo  |
| Signature:   |
| VARIANCE: Present Zoning: R-3 R-15 Type of Variance: Set Lack Reduction                          |
| Explain Intended Use: Covered back Portico For Rear of Subject Property.                         |
| Location: 4830 Marine La SS Mabledin 61 30/2/  |
| Location: 4830 Marina La SE Mable Land 61 Jol26  Land Lot(s): District: Size of Tract: 1/3 Acres |
| To be completed by City)  Received: 1/23/2020  Posted: Approved/Denied:                          |

# **CONTIGUOUS ZONING**

| North: R         | 15 |
|------------------|----|
| East: RD/        | ł  |
| South: <u>RD</u> | A  |
| West: R-19       | 5  |

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

| Intends to make an application for a variance for the | e purpose of                  |
|---|-------------------------------|
| on the premises described in the application.         |                               |
| NAME  | ADDRESS                       |
| Susan + Daniel Echwards                               | 4820 Marine Lu SE Mas         |
| Aller + Junie Aller                                   | 48/5 Murne LN SE Mal          |
| Markon Pollard  | 641 Sunner tree CLSE Ma       |
| Dadzie, Roberta                                       | 4891 Thompson Cd. SE Ma       |
| Stephenie Carlevia                                    | 4890 Thumpan Cd SE Me         |
| Scotte E. Grugson                                     | 4902 Whenh Rildo TA SS        |
| Steve Cilia   | 4900 Vinings Ridge Trad SE Ma |

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.

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## 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.

# Attached in Cipy

Re: 4830 Marina Ln, Mableton Ga 30126 Variance Narrative

To the Variance Board and community,

This variance request is regarding the setback issue for subject property 4830 Marina Ln, Mableton GA 30126. The request is to allow continuation of construction by allowing the added attached portico on the rear of the subject property for reasons of Proof of Positive Purpose. We are asking the board and community to allow this rear portico to remain standing based on the following reasons:

- 1. Based on the location of the property (Main Street Cooper Lake rd.) and the lower elevation of the subject property's 1<sup>st</sup> floor, we fear that flying debris may come from the main street and damage or possibly injure anyone in the home. The Portico was designed to cover the glass section in the rear of the home to avoid outside debris impacting the integrity of the glass. With the Portico in place, the likely hood of anything harmful happening is very low.
- 2. The Portico was also designed to cover the rear of the home from any form of natural climate hazards or major rain entering into the home. Again the home sits in a lower elevation compared to the other homes in the community and without proper protection, flooding is possible inside the home.
- 3. The Portico was designed to protect the family from glaring sun rays as any covered portico would.

Although this structure goes beyond the setback lines of the home, it still remains between the home and the retaining wall which is about 10 feet from the home and setback (See pictures attached and plans).

The Portico was tastefully built and designed to enhance the quality of the home and community and we feel that this structure is actually an improvement and it will not have a substantial negative impact on the neighborhood or surrounding homes.

We are asking the board for the consideration of the variance approval based on the facts and opinion given. If there any questions or concerns, we can be reached via email at <a href="https://holmesjohn09@gmail.com">holmesjohn09@gmail.com</a> or phone: 404-461-3201

Thanks you,

John & Nikkia Holmes