

# APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

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

Application No: V21-026

Hearing Date: 3/24/21

APPLICANT: Brian and Lauren Berry

Business Phone: \_\_\_\_\_ Cell Phone: 404.432.3844 Home Phone: \_\_\_\_\_

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

Address: 1607 Walker Street, Smyrna GA 30080

Business Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

E-Mail Address: brian.s.berry@gmail.com- delta.com

Signature of Representative: Brian S Berry

TITLEHOLDER: Brian and Lauren Berry

Business Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: Brian S Berry

VARIANCE:

Present Zoning: <sup>RAD Single Fam Attached/</sup>Detached Type of Variance: Impervious land to exceed maximum

Explain Intended Use: Variance would be used to redesign back yard to install pool

Location: \_\_\_\_\_

Land Lot(s): 593 District: 17 Size of Tract: 0.174 Acres

(To be completed by City)

Received: 3/2/21

Legal Ad Posted: 3/5/21

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

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

**CONTIGUOUS ZONING**

**North:** RM- 10 Multi Family residential

**East:** RAD Single Family Attached/Detached

**South:** RAD Single Family Attached/Detached

**West:** RAD Single Family Attached/Detached

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

By signature, it is hereby acknowledged that I have been notified that Brian and Lauren Berry

Intends to make an application for a variance for the purpose of redesigning back yard to  
Include installation of pool/pool deck

on the premises described in the application.

NAME	ADDRESS
Certified Letters provided to all neighbors	

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. 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 directly across a street.

7014 2280 0000 2713 4342

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CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

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

Blairsville, GA 30512

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<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	\$4.00
<b>Total Postage and Fees</b>	<b>\$7.60</b>

Sent To  
Judith Rich  
Street and Apt. No., or PO Box No.  
37 Newton Circle  
City, State, ZIP+4®  
Blairsville GA 30512

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7014 2280 0000 2713 4342

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Smyrna, GA 30080

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<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	\$4.00
<b>Total Postage and Fees</b>	<b>\$7.60</b>

Sent To  
Michael Mariano  
Street and Apt. No., or PO Box No.  
1605 Walker St  
City, State, ZIP+4®  
Smyrna GA 30080

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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

Mableton, GA 30126

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<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	\$4.00
<b>Total Postage and Fees</b>	<b>\$7.60</b>

Sent To  
Bruce Centore  
Street and Apt. No., or PO Box No.  
5006 Shannon Way  
City, State, ZIP+4®  
Mableton GA 30126

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Smyrna, GA 30080

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<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	\$4.00
<b>Total Postage and Fees</b>	<b>\$7.60</b>

Sent To  
Ryan Judge  
Street and Apt. No., or PO Box No.  
1611 Walker Street  
City, State, ZIP+4®  
Smyrna GA 30080

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7014 2280 0000 2713 4342

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Smyrna, GA 30080

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00
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<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	\$4.00
<b>Total Postage and Fees</b>	<b>\$7.60</b>

Sent To  
Matt Junger  
Street and Apt. No., or PO Box No.  
1574 Walker St  
City, State, ZIP+4®  
Smyrna GA 30080

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**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.

See attached narrative COMPREHENSIVE NARRATIVE

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## Variance Narrative: 1607 Walker Street, Smyrna GA 30080

**Brian and Lauren Berry**  
**Updated March 1<sup>th</sup>, 2021**

Brian and Lauren Berry are requesting a zoning variance for our residence at 1607 Walker Street, Smyrna, GA 30080 to construct a pool and pool deck.

I (Brian) have lived in Smyrna for nearly 16 years, purchasing my first home in the Paces Lake neighborhood in 2005, and then moving to our current residence in Williams Park in June 2017. Lauren, (who moved to Smyrna in 2013) and I have two daughters McKenzie (3) and Becker (1) and intend to remain in our Walker Street home for at least the next 15-20 years.

Our neighborhood does not currently have a community pool option. Both Lauren and I grew up with pools at our homes and want that for our family. We envision the pool we are proposing will complete our backyard, and create a gathering place for our family as well as the network of families/neighborhood in the Smyrna area with whom we have developed friendships. Obviously those gatherings would be as the pandemic subsides, but this also gives our family a recreation option if that does not occur as quickly as we all hope.

We have contracted Georgia Classic Pool (GCP) as our partner in designing and constructing our pool. We completed a survey on our lot and worked with GCP to design our pool space, which will include the pool, jacuzzi, and pool deck as outlined in our site plans. The pool itself is of relatively modest size, and the accompanying pool deck has been designed to provide areas for socialization around the pool. The deck as designed will also serve as a boundary to protect the pool from grass clippings and other landscaping debris from yard maintenance.

Per Smyrna zoning guidelines for our home (RAD Single Family Attached/Detached), the maximum impervious percentage allowed for our lot is 45%. We currently are at 42.7%, and our proposed design will increase that percentage to 49.9%, or 4.9% higher than currently permitted. While there are some adjustments we could make to the design to meet the 45% maximum, we are requesting that the Smyrna Mayor, City Council, or License and Variance Board approve the variance as the proposed design will allow our family to build the back yard experience we desire.

Thank you for your consideration of our variance. We of course will answer any questions or discuss potential alternatives the Smyrna Mayor, City Council, or License and Variance Board may have.

Thank you,  
Brian and Lauren Berry  
1607 Walker Street  
Smyrna, GA 30080  
404.432.3844  
[brian.s.berry@delta.com](mailto:brian.s.berry@delta.com)



# COBB COUNTY TAX BILL 2020

Pay online at [www.cobbtax.org](http://www.cobbtax.org) or 1-866-729-2622  
See the back of this bill for more payment information

CARLA JACKSON  
TAX COMMISSIONER

HEATHER WALKER  
CHIEF DEPUTY

Phone: 770-528-8600  
Fax: 770-528-8679



**BERRY BRIAN S & LAUREN R** copy of your bill was sent to your mortgage company. See the **back of this bill** for more information about mortgage companies.

**1607 WALKER ST**

**PAYMENT DUE DATE: October 15, 2020**

Pay Online

Payment must be received or **USPS Postmarked** by the due date. Metered or kiosk postmarks are not accepted as proof of timely mailing.

Parcel ID	Fair Market Value	Assessed Value	Acreage	Tax District	Homestead Exemption
17059301770	701,260	280,504	0.17	6 - City of Smyrna	NONE

Taxing Authority	Assessed Value	-	Exemption	=	Net Assessment	x	Millage Rate	=	Taxes Due
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SCHOOL	280,504	-	0	=	280,504	x	0.0189	=	\$5,301.53
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Levied by the Cobb County Board of Education representing approximately **68.75%** of your taxes due.

### COUNTY

Levied by the Board of Commissioners representing approximately **31.25%** of your taxes due.

County General	280,504	-	0	=	280,504	x	0.00846	=	\$2,373.06
County Bond	280,504	-	0	=	280,504	x	0.00013	=	\$36.47
County Fire	N/A	-	N/A	=	N/A	x	N/A	=	N/A

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due
2020	17059301770	10/15/2020	<b>Pay: N/A</b>	<b>or \$7,711.06</b>

Payment must be received or **USPS Postmarked** by the due date. Metered or kiosk postmarks are not accepted as proof of timely mailing.

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due	Amount Enclosed
2020	17059301770	10/15/2020	<b>Pay: N/A</b>	<b>or \$7,711.06</b>	

Late fees apply after  
October 15, 2020

IS YOUR INFORMATION UP TO DATE?

My mailing address  
has changed.

I want to remove  
homestead  
exemptions.

## 2020 COBB COUNTY TAX BILL

Internal Use

BERRY BRIAN S & LAUREN R

or Current Property Owner  
1607 WALKER ST SE

SMYRNA, GA 30080



Date Moved: \_\_\_\_\_

New Mailing Address: \_\_\_\_\_

Signature : \_\_\_\_\_

Real Estate Paid Tax Statement

Parcel: 17-0593-0-1770  
 Location: 1607 WALKER ST

Owner: BERRY BRIAN S & LAUREN R  
 1607 WALKER ST SE  
 SMYRNA GA 30080

Status: Square 0

Land Valuation: 138,240  
 Building Valuation: 563,020  
 Exemptions: 0  
 Taxable Valuation: 701,260

Deed Date: Book/Page:

Year	Type	Due Date	Principal Due	Int/Pen	Date	Type	Amount
2020	RE-R	1 11/16/2020	2,521.73	0.00	11/05/2020	PD	2,521.73
Bill #	1418		2,521.73	0.00			2,521.73
<b>Grand Totals</b>			<b>2,521.73</b>	<b>0.00</b>			<b>2,521.73</b>

\*\* End of Report - Generated by Mike Hickenbottom \*\*