



## APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 5

Application Number: V21-092

Variance Meeting Date: 8/25/21

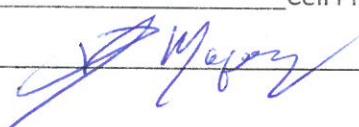
APPLICANT: Gonzalo Marquez

Representative's Name (print): Richard Rodriguez

Address: 1746 Atlanta Road, SE, Smyrna, GA 30080

Business Phone: \_\_\_\_\_ Cell Phone: 404-964-2762 Home Phone: NA

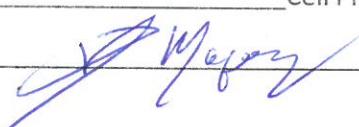
E-Mail Address: Rick@gsaplaza.com

Signature of Representative: 

TITLEHOLDER: Gonzalo Marquez

Address: 1746 Atlanta Road, SE, Smyrna, GA 30080

Business Phone: \_\_\_\_\_ Cell Phone: 404-867-7581 Home Phone: \_\_\_\_\_

Signature: 

### VARIANCE:

Present Zoning: C3-comm lots Type of Variance: To leave gravel parking as is for 3 years until the windy hill road way project is completed. then enforce current zoning regulations for parking lots (ie: no gravel parking lots)

Explain Intended Use: To use the property/building/parking lot as it as been and currently was with the previous tenant at the location. Previous tenant was a retail tenant. Tattoo parlor

Location: 2385 Ventura Road, Smyrna, GA 30080

Land Lot(s): 347 District: 17 Size of Tract: .46 Acres

(To be completed by City)

Received: 8/5/21

Legal Ad Posted: 8/13/21

Signs Posted: 8/13/21

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

## CONTIGUOUS ZONING

North: GC

East: R-15

South: GC

West: GC

## ZONING ORDINANCE SECTION 1403 VARIANCE REVIEW STANDARDS

In rendering its decisions, the License and Variance Board shall consider the following factors:

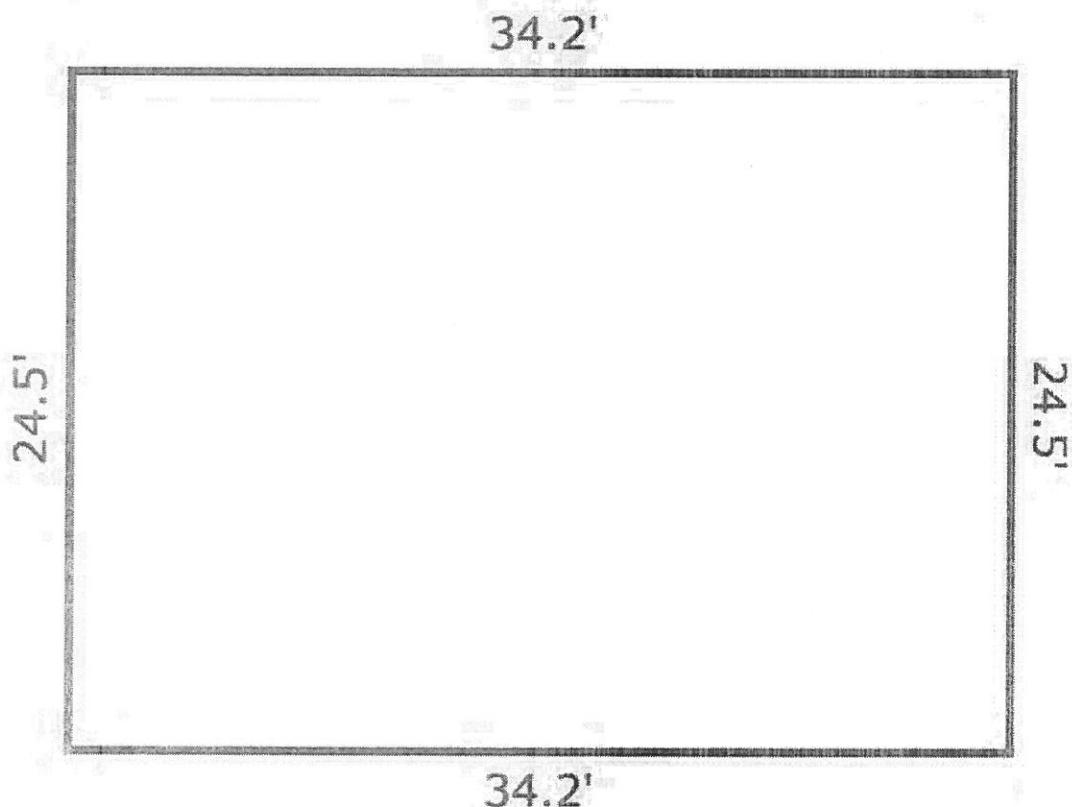
1. Whether there are extraordinary and exceptional conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties in the same district.
2. Whether any alleged hardship which is self-created by any person having an interest in the 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

Only narrative for the property at 2385 ventura road, smyrna is: ownership cannot make any long term changes to the property without knowing what the finished windy hill road project will be ALONG with the city of Smyrna not having a plan for the linear park that will abut the property once the windy hill greenway project is completed

## BUILDING SKETCH



# NOTIFICATION OF CONTIGUOUS OCCUPANTS OR LANDOWNERS

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

Intends to make an application for a variance for the purpose of \_\_\_\_\_

on the premises described in the application.

NAME \_\_\_\_\_

**ADDRESS**

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.

I MAILED - CERTIFIED MAIL (SEE REBUTTALS)  
TO THE 6 ENTITIES ON NEXT PAGE  
1 ENTITY OWNS 2 OF THE 7 PROPERTIES.  
HENCE THE 6 CERTIFIED COPIES OF REBUTTALS

*J. M. Moyer*

Dear Owners,

I am the owner of the property at 2385 Ventura Rd, Smyrna GA 30080 (Where the Tattoo shop was formerly located). I have requested a zoning variance to keep this property exactly like it is, and has been since 2004, for the next three years until the Windy Hill Roadway project is completed. Once the roadway is completed and the city of Smyrna completes their plans for the linear park to run adjacent to the roadway on the north side of Windy Hill Road, the variance will expire. I am requesting a parking space variance for 3 years

Currently, with a new tenant requesting a business permit (either a jewelry repair shop or a hair dresser), the zoning requirements call for the property to have 5.5 paved parking spaces. The parking area the property has is a gravel parking lot.

Once the roadway project is completed (city of Smyrna is guestimating 3 years), the parking lot zoning variance will expire and the property will have to conform to the standard property zoning requirements.

Just an FYI: I have discussed with city of Smyrna officials about placing a new building on the property that will conform to the visions the city of Smyrna has for the new windy hill greenway project. I must wait until the city has a conceptual plan for the linear park. I feel there is no reason for me to place a new building and upgrade the property until the city of Smyrna has a plan in place for the linear park that my property will abut. Hence the reason the zoning manager for the city of Smyrna is recommending a 3-year variance until the roadway project is completed.

There will be a zoning hearing at 10:00 AM on August 25, 2021, at the city of Smyrna to approve or disapprove the above zoning variance. If you have any questions before the zoning hearing, please don't hesitate to reach out. Please email my property manager, Alma, at: [gsaplazalic@gmail.com](mailto:gsaplazalic@gmail.com), with any questions or concerns. Thank you and I look forward to being your neighbor for another 17 years.

Sincerely,



Gonzalo Marquez

CONTIGUOUS PROPERTIES ADJACENT TO 2385 VENTURA ROAD, SMYRNA, GA 30080

All mailing addresses provided by cobb county tax assessors website.

- 1) 2380 Ventura Rd: Owner: Michael Farkas; Mailing address: 531 Windy Hill Rd, Smyrna, GA 30080
- 2) 560 Windy Hill Rd: Owner: The Sanford Phillips Family Trust: mailing address: 5243 Lockwood Ln, Powder Springs, GA 30127
- 3) 570 Windy Hill Rd: Owner: The Sanford Phillips Family Trust: mailing address: 5243 Lockwood Ln, Powder Springs, GA 30127
- 4) 2380 Old Spring Rd: Owner: Kathleen Hicks: Smyrna, ga 30080
- 5) 2370 Old Spring Rd: Owner: Roie Vajima: 110 Keswick Way, Alpharetta, GA 30022
- 6) 2364 Old Spring Rd: Owner: Boardwalk Group Investments LLC: 1151 McLinden Ave, Smyrna, GA 30080
- 7) 2381 Ventura Rd: Owner: Maclean Riggins Inc: same address



AKERS MILL  
2997 COBB PKWY SE STE 300  
ATLANTA, GA 30339-9997  
(800)275-8777

08/05/2021 01:20 PM

Product	Qty	Unit	Price
		Price	
First-Class Mail® Letter	1	\$0.55	
Powder Springs, GA 30127			
Weight: 0.40 oz			
Estimated Delivery Date			
Mon 08/09/2021			
Tracking #:			
9507 1065 7436 1217 4947 62			
Certified Mail®			
Total		\$3.60	
		\$4.15	
First-Class Mail® Letter	1	\$0.55	
Alpharetta, GA 30022			
Weight: 0.40 oz			
Estimated Delivery Date			
Mon 08/09/2021			
Tracking #:			
9507 1065 7436 1217 4947 86			
Certified Mail®			
Total		\$3.60	
		\$4.15	
Grand Total:		\$8.30	
Credit Card Remitted		\$8.30	
Card Name: MasterCard			
Account #: XXXXXXXXXXXXXXX5692			
Approval #: 07773B			
Transaction #: 325			
Receipt #: 000325			
AID: A0000000041010			
AL: MASTERCARD			
PIN: Not Required			
CAPITAL ONE			

\*\*\*\*\*  
USPS is experiencing unprecedented volume  
increases and limited employee  
availability due to the impacts of  
COVID-19. We appreciate your patience.  
\*\*\*\*\*

Text your tracking number to 28777 (2USPS)  
to get the latest status. Standard Message  
and Data rates may apply. You may also  
visit [www.usps.com](http://www.usps.com) USPS Tracking or call  
1-800-222-1811.

Preview your Mail  
Track your Packages  
Sign up for FREE @  
<https://informeddelivery.usps.com>

All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.

Tell us about your experience.  
Go to: <https://postalexperience.com/ssk>  
or scan this code with your mobile device,

POSTAL SERVICE

AKERS MILL  
2997 COBB PKWY SE STE 300  
ATLANTA, GA 30339-9997  
(800)275-8777

08/05/2021

Product	Qty	Unit	Price
		Price	
First-Class Mail® Letter	1		
Smyrna, GA 30080			
Weight: 0.40 oz			
Estimated Delivery Date			
Mon 08/09/2021			
Tracking #:			
9507 1065 7436 1217 4946 25			
Certified Mail®			
Total			
First-Class Mail® Letter	1		
Smyrna, GA 30080			
Weight: 0.40 oz			
Estimated Delivery Date			
Mon 08/09/2021			
Tracking #:			
9507 1065 7436 1217 4946 49			
Certified Mail®			
Total			
First-Class Mail® Letter	1		
Smyrna, GA 30080			
Weight: 0.40 oz			
Estimated Delivery Date			
Mon 08/09/2021			
Tracking #:			
9507 1065 7436 1217 4946 63			
Certified Mail®			
Total			
Grand Total:			\$13
Credit Card Remitted			
Card Name: MasterCard			
Account #: XXXXXXXXXXXXXXX5692			
Approval #: 04879B			
Transaction #: 324			
Receipt #: 000324			
AID: A0000000041010			
AL: MASTERCARD			
PIN: Not Required			
CAPITAL ONE			

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availability due to the impacts of  
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to get the latest status. Standard Message  
and Data rates may apply. You may also  
visit [www.usps.com](http://www.usps.com) USPS Tracking or call  
1-800-222-1811.

Parcel #



## 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



### CAMPBELL SANDRA K

C/O GONZALO MARQUEZ  
2385 VENTURA RD

PAYMENT DUE DATE: October 15, 2020

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	Acresage	Tax District	Homesestead Exemption
17034700460	121,760	48,704	0.00	6 - City of Smyrna	NONE

Taxes Authority Assessed Value Exemption = Net Assessment x Millage Rate = Taxes Due

SCHOOL 48,704 - 0 = 48,704 x 0.0189 = \$920.51

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	48,704	-	0	=	48,704	x	0.00846	=	\$412.04
County Bond	48,704	-	0	=	48,704	x	0.00013	=	\$6.33
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	17034700460	10/15/2020	Pay: N/A or \$1,338.88		
					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 Due Date Appeal Amount Total Taxes Due Amount Enclosed
2020	17034700460	10/15/2020	Pay: N/A or \$1,338.88		
					Late fees apply after October 15, 2020
					IS YOUR INFORMATION UP TO DATE?

Late fees apply after  
October 15, 2020

SMYRNA

## Real Estate (Your House or Land)

[View Bill](#)

[View bill image](#)

As of	<input type="text" value="8/5/2021"/>
Bill Year	2020
Bill	2515
Owner	CAMPBELL SANDRA K
Parcel ID	<input type="text" value="17034700460"/>

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	11/16/2020	\$437.85	\$459.74	(\$21.89)	\$0.00	\$0.00
Penalties		\$21.89		\$0.00	\$0.00	\$0.00
Interest				\$15.46		
<b>TOTAL</b>		\$459.74	\$459.74	(\$21.89)	\$0.00	\$0.00

✓⑨PBB



Printed: 8/5/2021

## Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON  
HEATHER WALKER  
TAX COMMISSIONER  
CHIEF DEPUTY  
770-528-8600  
770-528-8679  
Phone:  
Fax:

Payer:  
Gonzalo Marquez

CAMPBELL SANDRA K  
C/O GONZALO MARQUEZ

Payment Date: 10/15/2020

Year	Ref ID	Due Date	Appeal Amount	Taxes Due
2020	17034700460	10/15/2020	Pay: N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid
\$0.00	\$0.00	\$0.00	\$0.00	\$1,338.88



Scan this code with your  
mobile phone to view this  
bill!

Deed Book 13468 Pg 5904  
Filed and Recorded Dec-31-2001 02:23pm  
2001-0223971  
Real Estate Transfer Tax \$550.00

*Jay C. Stephenson*

Jay C. Stephenson  
Clerk of Superior Court Cobb Cty, Ga.

**AFTER RECORDING RETURN TO:**

HANSELL L. (HAP) SMITH  
SMITH, EUBANKS, SMITH & TUMLIN, P.C.  
P. O. Box 1186  
Marietta, Georgia 30061  
01131851

*14.30*  
**WARRANTY DEED**

**STATE OF GEORGIA, COUNTY OF COBB**

**This Indenture** made this 6th day of **December**, in the year **Two Thousand One**, between **SANDRA K. CAMPBELL**, of the County of Gwinnett, State of Georgia, as party or parties of the first part, hereinunder called Grantor, and **GONZALO MARQUEZ**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

See Exhibit "A" attached hereto and made a part hereof by reference.

Subject to easements and restrictions of record, if any.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEES SIMPLE**.

**AND THE SAID** Grantor will warranty and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Anne W. Clash

Witness

Hansell L. Smith

Notary Public

Sandra K. Campbell  
(Seal)

\_\_\_\_\_  
(Seal)



EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 347 of the 17th District, 2nd Section, Cobb County, Georgia, being Lots 22 and 24, Block G, Belmont Hills Subdivision, being 0.865 acres as per plat of survey prepared for Wachovia Bank, dated July 26, 1993, and prepared by Frederick C. Youngman, G.R.L.S. #2160, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at a right of way monument located at the intersection of the easterly side of the right of way of Ventura Drive (50 foot right of way) and the northerly side of the right of way of Windy Hill Road (formerly known as Cherokee Road, where the right of way has widened), and from said point, run thence North 08 degrees 10 minutes 18 seconds West along the easterly side of the right of way of Ventura Drive for a distance of 50.26 feet to an iron pin at the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence along an arc, along the easterly side of the right of way of Ventura Drive and following the curvature thereof, having a radius of 423.54 feet (said arc being subtended by a chord North 16 degrees 11 minutes 30 seconds West a chord distance of 69.92 feet) for an arc distance of 70.00 feet to an iron pin and corner; running thence North 68 degrees 40 minutes 15 seconds East for a distance of 231.60 feet to an iron pin and corner; running thence South 38 degrees 08 minutes 52 seconds East for a distance of 75.27 feet to an iron pin; running thence South 00 degrees 29 minutes 28 seconds West for a distance of 182.32 feet to an iron pin and corner located on the northerly side of the right of way of Windy Hill Road (being a 90 foot right of way at this point); running thence North 87 degrees 00 minutes 00 seconds West along the northerly side of the right of way of Windy Hill Road for a distance of 124.05 feet to a point and corner; running thence North 02 degrees 34 minutes 23 seconds East for a distance of 107.52 feet to an iron pin and corner; running thence South 78 degrees 58 minutes 50 seconds West for a distance of 124.42 feet to an iron pin at the TRUE POINT OF BEGINNING.