



APPLICATION FOR VARIANCE
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 4

Application Number: V21-044

Mayor and Council Date: 5/17/21

APPLICANT: DAVID SAMANI

Representative's Name (print): DAVID SAMANI

Address: 632 AUSTIN DR SE, Smyrna GA 30082

Business Phone: _____ Cell Phone: 404.729.0603 Home Phone: _____

E-Mail Address: dsamani@gmail.com

Signature of Representative: [Signature]

TITLEHOLDER: DAVID AND LISA SAMANI

Address: 632 AUSTIN DR SE, Smyrna GA 30082

Business Phone: _____ Cell Phone: 404.729.0603 Home Phone: _____

Signature: [Signature]

VARIANCE:

Present Zoning: R15 Type of Variance: CHANGE OF REAR SETBACK FROM 30 FT. TO 24 FT.

Explain Intended Use: WITH CURRENT REGULATIONS, IT WOULD NOT BE POSSIBLE TO ADD A DECK TO MY HOUSE. THUS THE REQUEST FOR VARIANCE OF REAR SETBACK

Location: _____

Land Lot(s): 384 District: 17 Size of Tract: 0.53 Acres

(To be completed by City)

Received: 4/22/21

Legal Ad Posted: _____

Signs Posted: _____

Approved/Denied: _____

CONTIGUOUS ZONING

North: R-12 SINGLE FAMILY RESIDENTIAL

East: R-15 SINGLE FAMILY RESIDENTIAL

South: R-15 SINGLE FAMILY RESIDENTIAL

West: R-15 SINGLE FAMILY RESIDENTIAL

**NOTIFICATION OF CONTIGUOUS OCCUPANTS
OR LANDOWNERS**

By signature, it is hereby acknowledged that I have been notified that DAVID AND LISA SAMANI ARE
REQUESTING A VARIANCE TO REAR SETBACK

Intends to make an application for a variance for the purpose of BUILDING A DECK BEHIND THERE HOME.

on the premises described in the application.

NAME

ADDRESS

KKJS Kelly S Johnson

622 AUSTIN DRIVE

642 AUSTIN DRIVE

K. Padmaji PADMAJIA KELAIY

3793 NORTH COOPER LAKE ROAD

1504 GRACE MEADOWS LN 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 Mayor and Council 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.

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CHARL D. MAGBOLL

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NAME

ADDRESS

<u>✓</u> <u>Avis W. Chambless</u>	<u>622 AUSTIN DRIVE</u>
<u>Avis W. Chambless</u>	<u>642 AUSTIN DRIVE</u>
_____	<u>3793 NORTH COOPER LAKE ROAD</u>
_____	<u>1504 GRACE MEADOWS LN SE</u>
_____	_____
_____	_____
_____	_____
_____	_____

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ZONING ORDINANCE SECTION 1403 VARIANCE REVIEW STANDARDS

In rendering its decisions, the 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.

COMPREHENSIVE NARRATIVE

THIS HOUSE SITS ON A 1/2 ACRE LOT. DUE TO HOW FAR BACK THE HOUSE IS SETBACK FROM AUSTIN DR, WE DO NOT HAVE THE SAME AMOUNT OF SPACE FROM BACK OF THE HOUSE TO THE PROPERTY LINE AS WE HAVE IN THE FRONT. IN ADDITION, THE HOUSE WAS CONSTRUCTED WITH A REAR DOOR AT APPROXIMATELY 7 FT. HIGHER THAN REAR GRADE. WE BELIEVE INSTALLING A DECK AT THE BACK OF THE HOUSE TO BE REASONABLE USE OF THE PROPERTY BASED ON HOW IT WAS BUILT. PLUS THIS HOUSE HAD A DECK WHEN WE PURCHASED IT. WE ARE REQUESTING A VARIANCE TO THE REAR SETBACK REQUIRED FROM HOME TO PROPERTY, CURRENTLY 30 FT. OUR EXISTING DECK IS 21 FT FROM OUR REAR PROPERTY LINE, AS MENTIONED IN THE ATTACHED SITE PLAN. THE NEW DECK WE ARE PLANNING TO BUILD WILL BE 3 FT SHORTER. AS A RESULT, WE ARE REQUESTING A VARIANCE OF THE REAR SETBACK TO ALLOW THE DECK TO BE 24 FT FROM THE BACK PROPERTY LINE.