

# APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 3

Application No:           

Hearing Date: 5/22/19

APPLICANT: RAQUEL DOMINGUEZ

Business Phone:                      Cell Phone: 678.468-3070 Home Phone:                     

Representative's Name (print): AUGUST ZIBON

Address: 2749 MORRIS CIRCLE SE SMYRNA GA 30080

Business Phone:                      Cell Phone: 415.680-8653 Home Phone:                     

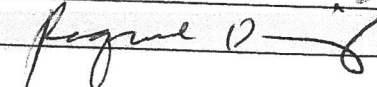
E-Mail Address: 66LFDRIE6@GMAIL.COM

X Signature of Representative: A. ZIBON

TITLEHOLDER: RAQUEL DOMINGUEZ

Business Phone:                      Cell Phone: 678.468-3070 Home Phone:                     

Address: 2749 MORRIS CIRCLE SE SMYRNA GA 30080

X Signature: 

## VARIANCE:

Present Zoning: R-15 Type of Variance: FENCE HEIGHT INCREASE  
ON CORNER LOT - 4FT TO 6FT

Explain Intended Use: ALLOW 89FT OF CEDAR PICKET FENCE, 6FT TALL  
TO ENCLOSE SINGLE FAMILY RESIDENCE. THE 6FT TALL  
FENCE WILL KEEP ANIMALS & CHILDREN INSIDE THE PROPERTY.

Location: 2749 MORRIS CIRCLE SE SMYRNA GA 30080

Land Lot(s): 10 MORRIS MANOR District: 17 Size of Tract: 0.3079 Acres

(To be completed by City)

Received: 4/30/19

Posted:                     

Approved/Denied:

**CONTIGUOUS ZONING**

North: R-15

East: R-15

South: R-15

West: R-15

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

By signature, it is hereby acknowledged that I have been notified that RAQUEL DOMINGUEZ  
@ 2749 MORRIS CIRCLE SE SMYRNA G.A.

Intends to make an application for a variance for the purpose of HAVING THE  
SIDE FENCE 6FT TALL INSTEAD OF 4FT TALL,

on the premises described in the application.

**NAME**

**ADDRESS**

FELICIA RAKESTRAW J.

2780 MORRIS CIRCLE S.E.

CINDY & MARY GREEN CPG

2760 MORRIS CIRCLE S.E.

LAMAR WALLER

2750 MORRIS CIRCLE S.E.

*Lamar*

VACANT - FOR SALE

2740 & 2730 MORRIS CIRCLE SE  
VACANT - CERTIFIED MAIL NOTICE

Johnny Greene  
JOHNNY GREEN

2729 MORRIS CIRCLE S.E.  
1450 WALKER CT. SMYRNA

Melissa Ivie mls do

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.

**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.

**COMPREHENSIVE NARRATIVE**

THE 2749 MORRIS CIRCLE PROPERTY HAS TWO EXISTING 6FT HIGH WOODEN FENCE SURROUNDING THE BACKYARD. THE EXISTING FENCES BELONG TO THE PROPERTY OWNERS - 2729 MORRIS CIRCLE SE & 1450 WALKER CT. THE BACKYARD OF 2749 MORRIS CIRCLE IS OPEN ON TWO SIDES. RAQUEL DOMINGUEZ HAS TWO DOGS AND YOUNG GRANDSON. SHE IS AFRAID THE CHILD AND DOGS WOULD ACCESS MORRIS CIRCLE AND BE STRUCK BY AUTOMOBILE TRAFFIC. THE ALLOWED 4FT TALL FENCE BY CITY CODE IS NOT TALL ENOUGH TO CONTAIN THE CHILD & ANIMALS. THE VARIANCE REQUEST IS FOR THEIR SAFETY AND PREVENTION OF A UNEXPECTED ACCIDENT.

THIS VARIANCE REQUEST IS TO ALLOW A 6FT TALL WOODEN FENCE TO BE BUILT COVERING 42FT FROM THE PROPERTY CORNER - NOT THE ENTIRE LENGTH OF THE NORTH-WEST PROPERTY LINE. (SEE ATTACHED FENCE PLAN BY FOX FENCE COMPANY).

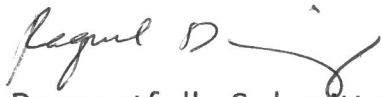
4-29-2019

Raquel Dominguez

2749 Morris Circle SE, Smyrna GA 30080

Property Owner- Title Holder

To the City of Smyrna License and Variance Board,  
I, Raquel Dominguez, will not be able to attend the May 22, 2019, 10am  
board meeting due to my work schedule. Please allow my partner,  
August Zigon, to represent me at the meeting.

A handwritten signature in cursive script, appearing to read "Raquel D.", followed by a long horizontal flourish.

Respectfully Submitted,  
Raquel Dominguez

4-24-19

Raquel Dominguez

2749 Morris Circle SE, Smyrna Georgia 30080

Variance request

To the property owner(s) of:

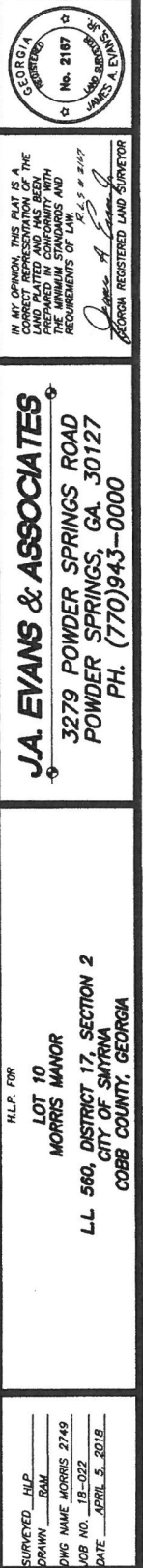
2740 and 2730 Morris Circle SE, Smyrna Georgia 30080

This letter is to inform you of a variance request to the City of Smyrna, to install a 6 ft. perimeter fence instead of a 4 ft. The 89 ft. of new fence is to enclose the property. The need of a taller fence is for the safety of children in the residence backyard.

Notification of the variance request would of occurred with personal contact but both homes are vacant at this time.

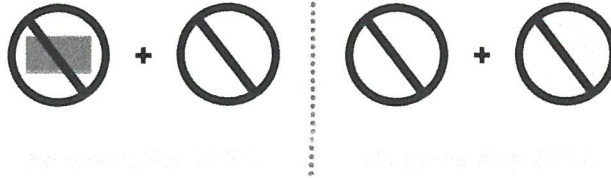
Respectfully submitted,

Raquel Dominguez



# Notice: Tag and Title Services Interrupted May 21-29

May 21-29: No kiosk or online renewal services available. May 23-27: No tag or title services available at tag offices.



## Owner Information

PM BUILDERS LLC PO BOX 680813 MARIETTA, GA 30068

## Payment Information

|                   |            |
|-------------------|------------|
| Status            | Paid       |
| Last Payment Date | 10/10/2018 |
| Amount Paid       | \$134.25   |

## Property Information

|                     |                    |
|---------------------|--------------------|
| Parcel Number       | 17056000100        |
| Acres               | 0                  |
| Assessed Value      | \$63,532           |
| Fair Market Value   | \$158,830          |
| Tax District        | 6 - City of Smyrna |
| Homestead Exemption | 113 Basic, School  |

## Bill Information

|             |            |
|-------------|------------|
| Record Type | Parcel     |
| Bill Type   | Original   |
| Tax Year    | 2018       |
| Due Date    | 10/15/2018 |

## Taxes

|              |          |
|--------------|----------|
| Base Taxes   | \$134.25 |
| Penalty      | \$0.00   |
| Interest     | \$0.00   |
| Fees         | \$0.00   |
| Good Through |          |
| Balance Due  | \$0.00   |

## Property Address

2749 MORRIS CIR

## Jurisdictions

| Taxing Authority | 40% Assessed Value | Less Exemption | = Net Tax Value | x Millage | = Tax    |
|------------------|--------------------|----------------|-----------------|-----------|----------|
| SCHOOL GENERAL   | 63,532             | 63,532         | 0               | 0.018900  | \$0.00   |
| SCHOOL BOND      | 63,532             | 0              | 63,532          | 0.000000  | \$0.00   |
| COUNTY GENERAL   | 63,532             | 48,639         | 14,893          | 0.008460  | \$125.99 |
| COUNTY BOND      | 63,532             | 0              | 63,532          | 0.000130  | \$8.26   |
| STATE            | 63,532             | 2,000          | 61,532          | 0.000000  | \$0.00   |

trees

Visit us at our website  
www.foxfenceco.comExcellence in fencing  
since 1990

Visa, MC, Discover



Email: FoxFenceCompany@bellsouth.net

1184 Timberwale Court • Kennesaw, Georgia 30152 • Fax 770-427-4449

|       |          |           |
|-------|----------|-----------|
| WATER | ELECTRIC | SPRINKLER |
| Y / N | Y / N    | Y / N     |

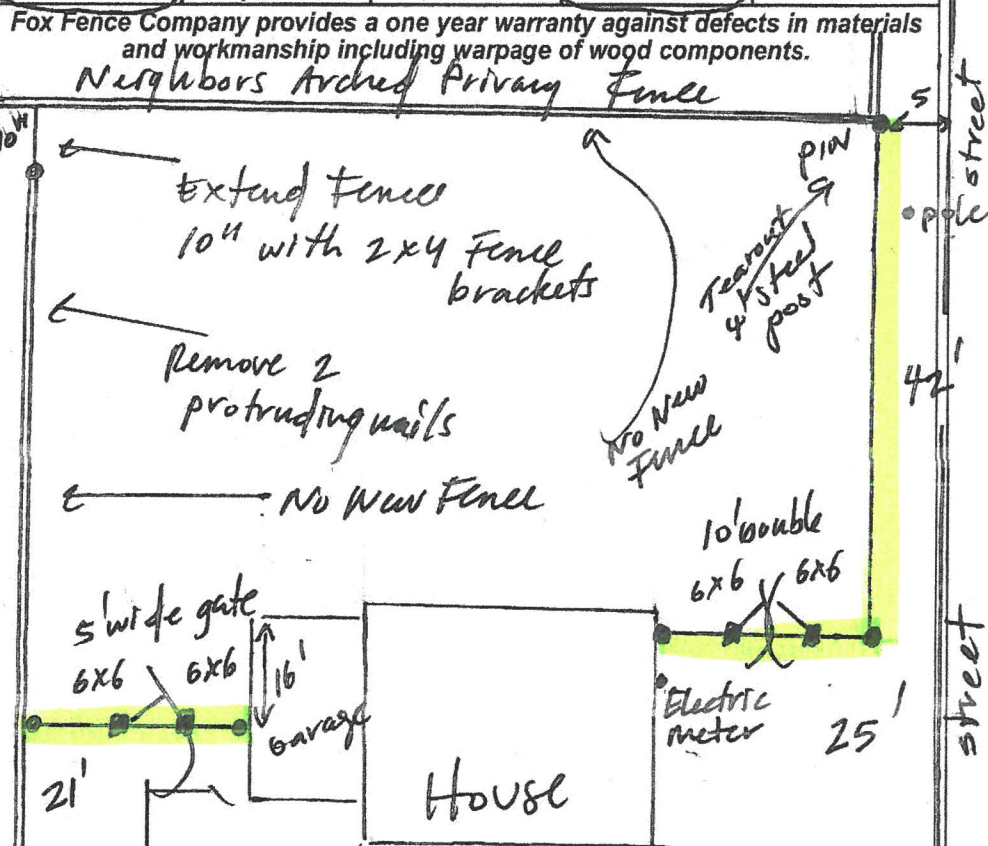
|                                              |                              |                               |
|----------------------------------------------|------------------------------|-------------------------------|
| SUBMITTED TO<br><b>Angie Zigon</b>           | PHONE<br><b>415-680-8653</b> | DATE<br><b>4.15.2019</b>      |
| BILLING ADDRESS<br><b>2149 Morris Circle</b> | JOB ADDRESS<br><b></b>       |                               |
| CITY, STATE, ZIP<br><b>Smarna, GA. 30080</b> | CITY, STATE, ZIP<br><b></b>  | COUNTY<br><b>Cobb</b>         |
| E-MAIL ADDRESS<br><b>tdrive6@gmail.com</b>   | OBSTRUCTIONS<br><b>Rock</b>  | SALESMAN<br><b>MC</b>         |
|                                              |                              | PROPERTY PINS<br><b>Y N</b>   |
|                                              |                              | HEARD ABOUT FFC<br><b>Nom</b> |

|                 |                          |                   |
|-----------------|--------------------------|-------------------|
| P.T. Pine       | 1st                      | 2nd               |
| Fence Style     | <b>Arched Privacy</b>    |                   |
| Height          | <b>6</b>                 |                   |
| Total Footage   | <b>89'</b>               |                   |
| Gates: Size     | <b>5' wide</b>           | <b>10' double</b> |
| Number          | <b>1</b>                 | <b>1</b>          |
| Specifications  | 1st                      | 2nd               |
| Posts           | <b>P.T. Pine</b>         |                   |
| Spacing         | <b>8' centers</b>        |                   |
| Depth           | <b>24" into concrete</b> |                   |
| Corner          | <b>4x4 P.T. Pine</b>     |                   |
| End             | <b>11</b>                |                   |
| Gate            | <b>6x6 P.T.</b>          | <b>6x6 P.T.</b>   |
| Line            | <b>4x4 P.T. Pine</b>     |                   |
| Decorative Tops | <b>French both</b>       |                   |
| Rails           | <b>2x4 P.T. Pine</b>     |                   |
| In or Out       | <b>Backnailed</b>        |                   |
| No. of Rails    | <b>3</b>                 |                   |
| Picket/Fabric   | <b>1x6 P.T. Pine</b>     |                   |
| Spacing         | <b>solid</b>             |                   |

**Arched/Dome** **Scalloped/Saddle** **Facenail** **Backnail** **Inset**

**Fox Fence Company provides a one year warranty against defects in materials and workmanship including warpage of wood components.**

**Neighbors Arched Privacy Fence**



Finished side of fence faces out unless otherwise specified.  
Fence to follow natural terrain. Fox Fence Company does not do any painting or staining.

We Propose - hereby to furnish material and labor - complete in accordance with above specifications, for the sum of

Two thousand two hundred ninety three dollars (\$ **2,293.00**)

Payment to be made as follows.

**\$800.00 deposit & balance of \$1,493.00 due on completion.**

PLEASE READ AND INITIAL

Property owner is solely responsible for securing any required permits or subdivision approvals. Property owner is responsible for location of property pins or assumes full responsibility for location of fence. Placement of sprinkler and drain lines may interfere with the installation of the fence. Fox Fence Company assumes no responsibility for damage to sprinkler, drain lines or any other unmarked underground obstruction. Further, Fox Fence Company will not be responsible for damage to trees, shrubs or lawns. Due to the possibility of the presence of rock or other underground obstructions that would require the use of special digging equipment, the following per hole charges will apply: \$10.00 per hole using rock bar, \$20.00 per hole using jack hammer. Any alteration or deviation from the above specifications involving extra cost will be executed only upon written orders and will become an extra charge over and above the estimate. This agreement is contingent on strikes, accidents or delays beyond our control. Our workers are fully covered by Worker's Compensation Insurance. Interest shall accrue from the date of completion on any unpaid balance at the rate of 1.5% per month. If collection of the principal and interest is made by law or through our attorney at law, attorney's fees in the amount of 15% of the outstanding principle and interest amount shall be owed by property owner to Fox Fence Company. Restocking fee of up to 15% will be charged to any cancelled jobs prior to installing. Material cost on custom orders will be nonrefundable.

**Acceptance of Proposal** The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

Payment will be made as outlined above.

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within **74** days.

## Variance Meeting Dates 2019

|                                                                                           |                                                                                           |                                                                                          |  |
|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|--|
| <b>Submittal</b><br><b>Deadline:</b> <u>3/21/2019</u> at 12:00 pm                         | <b>Submittal</b><br><b>Deadline:</b> <u>4/4/2019</u> at 12:00 pm                          | <b>Submittal</b><br><b>Deadline:</b> <u>4/18/2019</u> at 12:00 pm                        |  |
| <b>Post</b><br><b>Property:</b> <u>3/25/2019</u>                                          | <b>Post</b><br><b>Property:</b> <u>4/8/2019</u>                                           | <b>Post</b><br><b>Property:</b> <u>4/22/2019</u>                                         |  |
| <b>Variance</b><br><b>Hearing:</b> <u>4/10/2019</u> at 10:00am<br>(Applicant Must Attend) | <b>Variance</b><br><b>Hearing:</b> <u>4/24/2019</u> at 10:00am<br>(Applicant Must Attend) | <b>Variance</b><br><b>Hearing:</b> <u>5/8/2019</u> at 10:00am<br>(Applicant Must Attend) |  |

---

|                                                                                           |                                                                                           |                                                                                           |  |
|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|--|
| <b>Submittal</b><br><b>Deadline:</b> <u>5/2/2019</u> at 12:00 pm                          | <b>Submittal</b><br><b>Deadline:</b> <u>5/23/2019</u> at 12:00 pm                         | <b>Submittal</b><br><b>Deadline:</b> <u>6/6/2019</u> at 12:00 pm                          |  |
| <b>Post</b><br><b>Property:</b> <u>5/6/2019</u>                                           | <b>Post</b><br><b>Property:</b> <u>5/27/2019</u>                                          | <b>Post</b><br><b>Property:</b> <u>6/10/2019</u>                                          |  |
| <b>Variance</b><br><b>Hearing:</b> <u>5/22/2019</u> at 10:00am<br>(Applicant Must Attend) | <b>Variance</b><br><b>Hearing:</b> <u>6/12/2019</u> at 10:00am<br>(Applicant Must Attend) | <b>Variance</b><br><b>Hearing:</b> <u>6/26/2019</u> at 10:00am<br>(Applicant Must Attend) |  |