

APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: 6

Application No: V17-014

Hearing Date: 3/8/17

APPLICANT: Carsten and Anna Heiliger
Business Phone: 404-724-3000 Cell Phone: 404-558-0008 Home Phone: 678-770-4044
Representative's Name (print): _____
Address: _____
Business Phone: _____ Cell Phone: _____ Home Phone: _____
E-Mail Address: _____
Signature of Representative: _____

TITLEHOLDER: Carsten Heiliger
Business Phone: 404-724-3000 Cell Phone: 678-770-4044 Home Phone: 404-558-6008
Address: 3257 Pinetree Dr. SE, Smyrna, GA 30080
Signature: [Signature]

VARIANCE: 2-15 Type of Variance: 6' Fence in front yard

Explain Intended Use: Safety/security and privacy - see Attachment 1

Location: _____
Land Lot(s): _____ District: 17 Size of Tract: 1.5 Acres

(To be completed by City)

Received: 2/14/17

Posted: 2/20/17

Approved/Denied: _____

CONTIGUOUS ZONING

North: R15

East: R15

South: R15

West: R15

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

By signature, it is hereby acknowledged that I have been notified that Carsten and
Anna Heiliger

Intends to make an application for a variance for the purpose of installing a 6-foot
privacy fence and landscaping along Collier Drive to
enclose the pool area.

on the premises described in the application.

NAME	ADDRESS
<u>Lisa Spencer</u>	<u>1403 Collier Dr SE</u>
<u>Orlando Sepulveda's Michael Seagraves</u>	<u>1428 Collier Dr</u>
<u>Ryan Hart</u>	<u>1484 Collier Dr SE</u>
<u>Jess Hattaway</u>	<u>3261 Pinetree Drive</u>
<u>Lisa Hattaway</u>	
<u>SCOTT TASKER</u>	<u>1473 Collier Dr. SE</u>

Attachment 1:

City of Smyrna Variance Application - Page 1 of 4.

Explain Intended Use:

The privacy fence will be used to provide:

- *Additional safety by replacing a low, climbable fence with a higher fence that doesn't provide foot- and hand-holds. The current fence is less than 4 feet high and easily climbed by our 5-year-old daughter. Given the number of young children in the neighborhood, we are particularly concerned about one of them being able to climb the fence and accidentally drowning.*



- *Privacy for our family and guests while we are in the pool area. The current fence does not obstruct the view, and the pool area is currently very visible to street and pedestrian traffic.*



Attachment 2:

City of Smyrna Variance Application - Page 4 of 4.

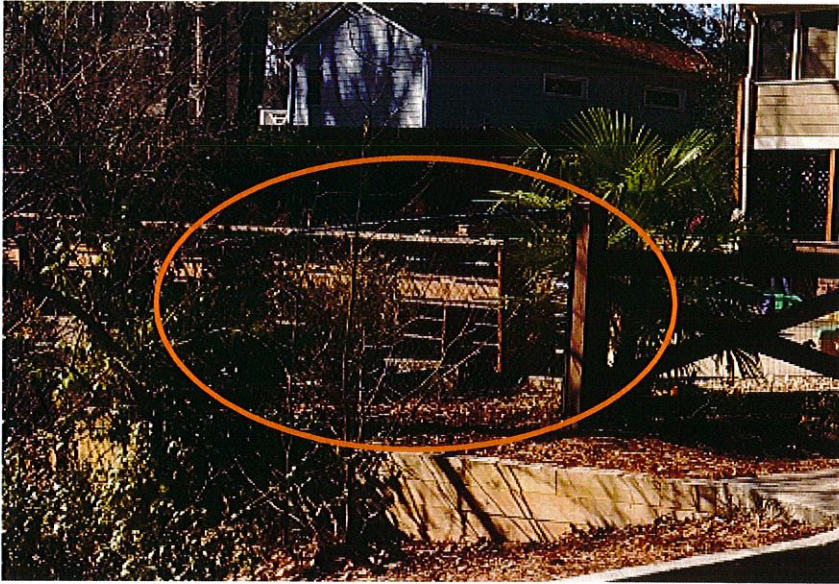
In response to Sec. 1403 Variance Review Standards:

1. *Since the lot is on the corner of Collier Drive and Pinetree Drive, the height requirements for fences (4ft. max) facing the street conflict with requirements for fences enclosing pools (6ft. min). We have not seen other homes with corner lots and pools thus far in the Forest Hills neighborhood in Smyrna. This appears to be an unique situation.*
2. *The variance is intended to rectify any potential previous disregard or ignorance of provisions related to safety standards established concerning fences enclosing pool.*
3. *Strict application of zoning standards will not deprive the applicant of reasonable use of the property. However, the requested variance will improve the safety and security of the pool.*
4. *The six foot height for a privacy fence is the minimum required. We had considered applying for a variance to build a 7 foot high fence, given that the land slopes downhill from the road, reducing the effective height of the privacy fence, but are only requesting the minimum variance necessary to minimize the visual impact of the fence in the community.*



Please see attached documents, including:

- Completed Notification of Contiguous Occupants or Land Owners.
- Copy of the property plat.
- Detailed fence plan from builder -- fence will follow the footprint of the existing climbable fence. In addition, to improve the appearance of our fencing from Collier Drive when approaching from east, we will replace the 8-foot section of the existing chain link fence, shown below, where the corner of the proposed fence meets the chain link so that the chain link is practically invisible due to a long bench structure and plantings between our property and 1484 Collier Drive SE.

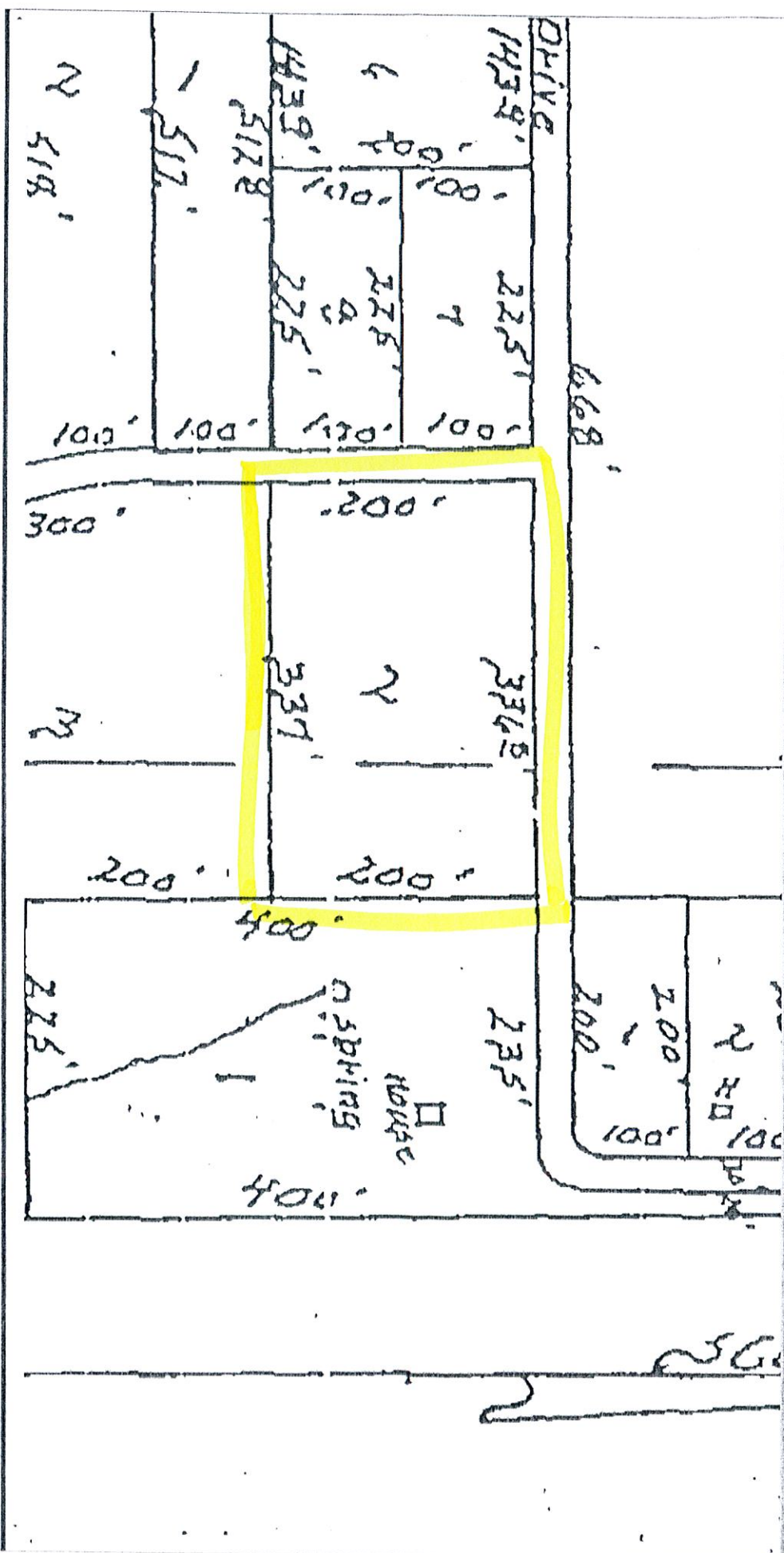


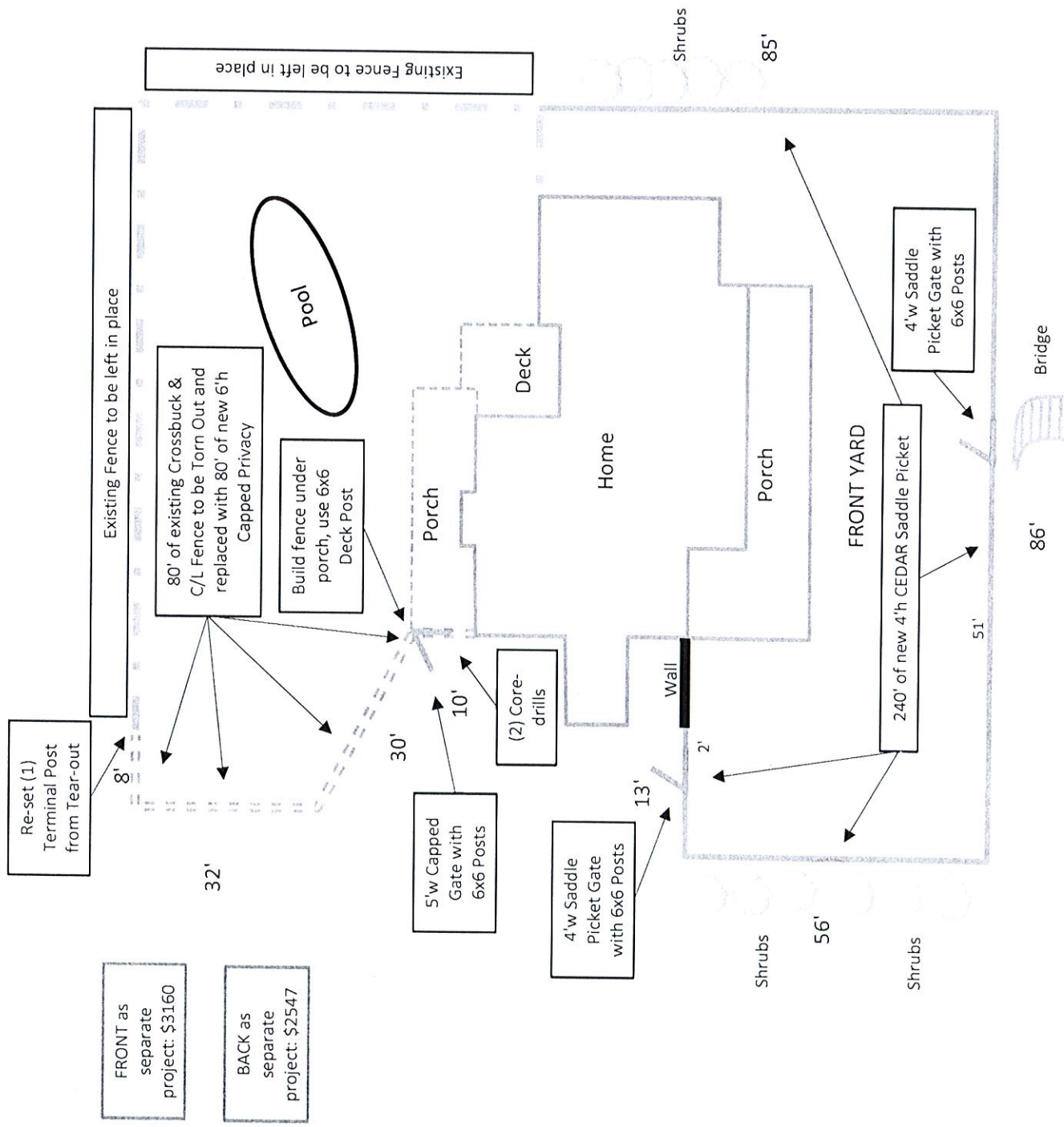
- Visual representation of the style of fence.



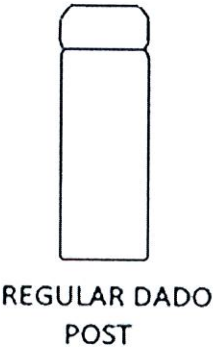
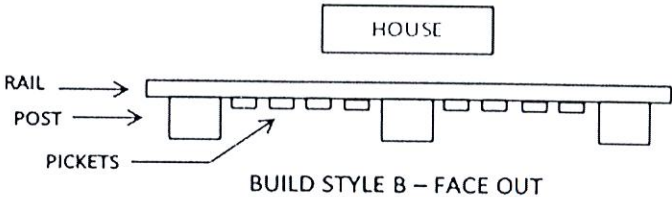
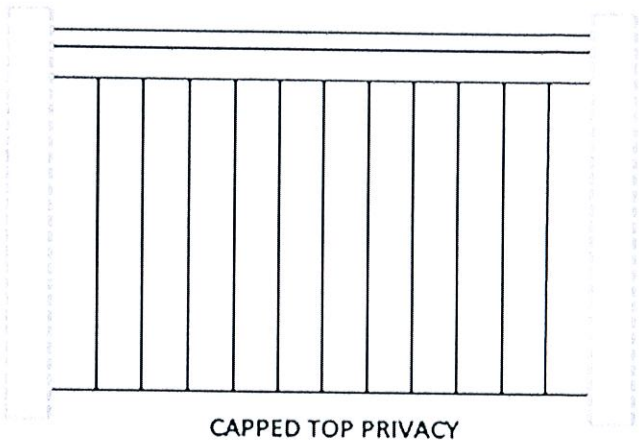
Notes:

- We purchased this property in October 2016, and have not resided there long enough to pay property tax. If requested, we can provide bank statements as evidence of property tax escrow.
- Although there are already a few plants in front of the existing fence, we plan to plant add more plantings (e.g. azaleas, etc.) on the street side of the fence after construction.





6 Ft Cap. Priv. - Pine - 3 Rail



Materials:	
Section	Comment
Posts	Pressure Treated Pine 4"x4" 6" x 6"
Posts	Gate Posts - Pressure Treated Pine 6" x 6"
Rails	Pressure Treated Pine 2" x 4", 3 per section
Capped	Cedar - Top Cap
Pickets	Pressure Treated Pine 1" x 6"
Gate Detail	Wood Gates - Built with Cedar Framing and Screwed Joints
Gate Detail	Gate Hinges - Heavy Duty Black Steel Hinges
Gate Detail	Gate Latches - Heavy Duty "Maxima" Gravity (will accept padlock)