APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward:

| Application No: Hearing Date: |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT: Matthew David Middleton |
| Business Phone: 404-522-5966 Cell Phone: 404-482-5014 Home Phone: 404-884-6523 |
| Representative's Name (print): Matthew David Middleton |
| Address: 3671 Wisteria Lane SE, Smyrna, GA 30082 |
| Business Phone: 404-522-5966 Cell Phone: 404-482-5014 Home Phone: 404-884-6523 |
| E-Mail Address: Matthew Middleton@prodigenet |
| Signature of Representative: |
| |
| TITLEHOLDER: Loancare a subsidary of a ServiceLink Company |
| Business Phone: 1-800-274-6600 Cell Phone: Home Phone: |
| Address: 3637 Sentara Way, Virginia, VA 23452 |
| Signature: |
| |
| VARIANCE: |
| Present Zoning: R-15 Type of Variance: The first variance request is for relief of the side property line setback for a garden storage barn from 10'-0" to 3'-0". |
| 2) The possible second variance request is for the potential of a second 'Accessory Building' or Interpretation Clarification of Zoning Ordinanc section 402.1 – 'Accessory Building' classification of an existing child's swing set with two swings and a slide as an Accessory Building or not an |
| Accessory Building. |
| Explain Intended Use: To add a new garden storage barn to the backyard of the property. |
| |
| Location: 3671 Wisteria Lane SE, Smyrna, GA |
| Land Lot(s): #455 District: Size of Tract: 0.3624 Acres |
| Zanto 2005). #155 |
| (To be completed by City) |
| Received: 5 44 (7 |
| Posted: 31 17 |
| 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

| Matthew D. Middleton of 3671 Wisteria Lane | | |
|---------------------------------------------------|---------------------------------|---------------------------------------------|
| Matthew D. Middleton of 30/1 Wisteria Lane | SE, Smyrna, GA 30082 | |
| Intends to make an application for a variance for | or the purpose of | |
| Adding a garden storage barn to the backyard o | of the property. | |
| | | |
| on the premises described in the application. | | |
| | | |
| | | |
| NAME | ADDRESS | |
| 1) a Carl | CARLIN PROPERTIES LLC | 3677 WISTERIA LN SE |
| Haya Pin | FORBES, KAYLA M | 3678 WISTERIA LN SE |
| O | ANDEDSON OCTAVIA A | |
| 11-11-1 | A <u>nderson, octavia a</u> | <u>3672 WISTE</u> RIA LN SE |
| Ute Hartung | HARTWIG, UTE | 3672 WISTERIA LN SE 3661 WISTERIA LN SE |
| Mit Hartung | | |
| My Hartung | HARTWIG, UTE | 3661 WISTERIA LN SE |
| Mix Hartung | HARTWIG, UTE HEMBREE, MICKEY | 3661 WISTERIA LN SE 3698 CRESTVIEW DR SE |

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

| By signature, it is hereby acknowledged that I | have been notified that | |
|-------------------------------------------------|-------------------------|----------------------|
| Matthew D. Middleton of 3671 Wisteria Lane | | |
| Intends to make an application for a variance f | | |
| Adding a garden storage barn to the backyard | | |
| | | |
| on the premises described in the application. | | |
| | | |
| NAME | ADDRESS | |
| | CARLIN PROPERTIES LLC | 3677 WISTERIA LN SE |
| Mit A | FORBES, KAYLA M | 3678 WISTERIA LN SE |
| Atm Updelow | ANDERSON, OCTAVIA A | 3672 WISTERIA LN SE |
| | HARTWIG, UTE | 3661 WISTERIA LN SE |
| | HEMBREE, MICKEY | 3698 CRESTVIEW DR SE |
| | MCCLAIN, STEVEN H JR | 3698 CRESTVIEW DR SE |
| | ROBSON, ERIC | 3706 CRESTVIEW DR SE |
| | WEEKS, JASON | 3666 WISTERIA LN SE |

May 25, 2017

Russell Martin, AICP Senior Planner Community Development Department 3180 Atlanta Road Smyrna, GA 30080



RE: Variance Request / 3671 Wisteria Lane, SE; Smyrna, GA 30082

Dear Russell Martin,

The purpose of this correspondence is to request variance(s) and/or decision(s) for interpretations to the zoning ordinance. My household and I Appreciate the Zoning Code Compliance review feedback your jurisdiction has provided for my project thus far and the potential variances you have provided. In our previous discussions and correspondence we have agreed on the variances required as well as the approval process by which this application shall be handled.

- The first variance request is for relief of the side property line setback for a garden storage barn from 10'-0" to 3'-0".
- 2) The possible second variance request is for the potential of a second 'Accessory Building' or Interpretation Clarification of Zoning Ordinance section 402.1 'Accessory Building' classification of an existing child's swing set with two swings and a slide as an Accessory Building or not as an Accessory Building.

Again, Thank you for your jurisdiction's and department's Zoning Code Compliance review. Attached to this correspondence are the application, associated exhibits and my discussion points for the referenced above variance and interpretation of Zoning Ordinance section *402.1*. Please contact me with any further questions or requests for additional information.

Matthew D. Middleton

Associate; Senior Project Manager

CUUB

Thank you,

CNNA Architects, Inc. 119 Luckie Street, NW, Suite 100

Atlanta, Georgia 30303
ph 404.522.0077
fx 404.522.0080
direct 404.522.5966
MMiddleton@cnna.com
www.cnna.com

Please reference the City of Smyrna Zoning ordinances below with statements of discussion, compliance, or non-applicability in the context of this variance request. Please note that all sections in 501 – 'Accessory uses and structures' are 'In Compliance' or are 'Not applicable'

The following narrative is for the second 'variance' request decision to consider whether a children's swing set should first be classified as an "Accessory Building or Use". Please first review the Zoning Code Ordinance as obtained from city of Smyrna 'Municode' website:

(402.1) Accessory building or use:

A use or a structure subordinate to the principal use or building on a lot and serving a purpose customarily incidental to the use of the principal building, provided any such structure is built with or after the construction of the principal building. Where an accessory building is attached to the main building in a substantial manner, as by a wall or roof, such accessory building shall be considered part of the main building.

The following city of Smyrna 16 year Property Owner, Taxpayer, Building Design Professional and Voting Citizen's <u>discussion points</u> for the 'interpretation' of a child's Swing Set (Two swings and a slide) as an 'Accessory building'. Please see the attached pictures of the existing swing set for reference in this discussion.

- No provisions or definitions exist in the City of Smyrna Code of Ordinances that provide for regulation children's playsets or swing sets based on a keyword search on the 'Municode' website for the City of Smyrna's Zoning Ordinances.
 - o If it is the intention of the city to regulate swing sets or children's play stations, should they be placed in the code ordinances by the specific name and description of the edifice type?
 - Should the language used to regulate swing sets or children's play stations be easily recognizable and straight forward to the ordinary citizen's without requiring legal, design and planning professional's 'Interpretations' of a vaguely written ordinance as it applies to these children's play equipment?
- A swing set is, by nature, a temporary item which will last between the child's ages of three (3) to Thirteen (13). A decade-plus based on the number of children living at the primary residence. Please reference zoning ordinance section:
 - o 402.57.1 Temporary structure
 - Any building, structure or enclosure not having its exterior walls supported on in-ground permanent foundations or walls. This shall include, but not be limited to any shed, structure, building, portable structure, trailer, tent, temporary portable storage container or enclosure of any kind.
 - All examples given in this definition are of "enclosed, building type" structures.
- The children's swing set has no roof structure, it has no walls, it has no built flooring material, and it has no foundations. Please reference zoning ordinance sections as well as the above section 402.1:
 - 402.56 Structure
 - Anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground, including but not limited to tennis courts, fences, swimming pools and buildings.
 - o 402.9 Building
 - Any roofed structure attached to the ground and enclosed and isolated by exterior walls and constructed, intended or used for residence, business, industry or other private or public purposes; or use accessory thereto.

- The term "Structure" is used in section 402.1. The examples within the definition of 402.56 are substantially sized:
 - Tennis Court Dimensions measure 78 ft. x 36 ft. or 2,808 sq. ft
 - Typical swimming pool dimensions are 10 x 20, 15 x 30, and 20 x 40 or 200 sq. ft. - 800 sq. ft.
 - The swing set is less than 150 sq. ft
- The children's 'Play Set' and 'Swing Set' are also very different in nature. The 'Swing set' being a couple of swings and slide and the now evolving 'Play Set' being guite complex, often having a two story construction. walled enclosures, covered canopies or roofs, multiple activity elements within the same structure. They involve a more complicated assembly than the traditional 'Swing Set'.
 - Should even these individual types of children's play equipment be defined as separate types of amenities?
- In a reverse scenario, the children's swing set when placed on a property with an existing accessory structure such as a storage building or swimming pool would require parents to obtain a variance and a building permit.
 - Is it the intention of this family based community to go to those extremes for the regulation of a child's swing set?
 - If it was enforced, this example would apply to my neighbor to the south.
- The term "Use" does not have any definitions provided Zoning Ordinances.
 - To what extents are 'uses' on residential property as intended by the ordinance?
 - How can the term 'use' be used if it does not have a practical definition in the ordinance?
 - Currently, any interpretation of "Use" can only be 'Subjective' by the planning staff and not an 'Objective' or 'Tangible' statement based on the current written zoning ordinances.
- Some examples of 'Accessory Use and structures' by this 'interpretation' could be picnic tables, basketball backboard/hoops, outdoor grills, sandboxes, soccer goal nets, swinging garden benches, Trampolines, Volley ball nets, inflatable or plastic pools, children's play houses, etc.
 - How far will this 'interpretation' reach?
 - How different in "Use" is a swing set to the above examples?
 - The sandbox on my own property could certainly, under this 'interpretation', qualify as an 'Accessory use'?
- My professional perception is that the ordinance as written defines more substantial edifices; and that the 'interpretation' is attempting to "back in" enforcement of children's play sets and swing sets into the regulatory environment via zoning ordinance 402.1.
 - Again, if it is the intention of the city of Smyrna to regulate swing sets or children's play stations, then separate and distinct code ordinances should be written for their installation and use as well as defining these specific types of outdoor play equipment.
 - The Children's swing and play sets have their own distinct nature. lifespan, construction, and uses rather than the written narrative of 402.1 and the associated definitions within that zoning code ordinance.

119 Luckie Street NW | Suite 100

Atlanta, Georgia 30303

Ph 404.522.0077 | Fx 404.522.0080

www.cnna.com

Sec. 501. - Accessory uses and structures.

Accessory uses and structures shall be permitted in all zoning districts subject to conformance with the following conditions:

(501.1) Such structures and uses shall be located on the same lot as the principal building to which they are accessory.

In Compliance

(501.2) Such structures and uses shall not be permitted in a required front or side yard. In Compliance

(501.3) Residential accessory uses and structures such as garages, greenhouses or workshops shall not be rented or occupied for gain.

In Compliance

(501.4) No accessory building shall be constructed upon a lot until construction of the principal building has commenced.

In Compliance

(501.5) When an accessory building is attached to the principal building by breezeway, passageway or similar means, it shall comply with the yard requirements of the principal building to which it is accessory.

In Compliance

(501.6) No garage or other accessory building shall be located closer than five feet to a rear lot line in a residential district. Where any nonresidential lot adjoins the rear of a residential lot, no accessory building on a nonresidential lot shall be located closer than 25 feet to the property line of the residential lot.

In Compliance

(501.7) No nonresidential accessory building shall be used by other than employees of the owner, lessee, or tenant of the premises.

In Compliance

(501.8) Accessory uses in an apartment development may include, but shall not be limited to, laundry facilities for the convenience of residents, which must be housed in a structure whose primary use is not for laundry purposes.

Not Applicable

(501.9) Accessory use swimming pools having a minimum depth of two feet shall be permitted only upon written approval of the county health department to indicate compliance with applicable health department swimming pool regulations. Also, a woven wire (chainlink) fence or similar structure at least four feet in height shall be placed around the pool and any gate opening to the exterior of the property shall be equipped with a bolt latch operated from the inside of the fence. If the rear yard in which the pool is located is already fenced, such fence shall be deemed adequate if the height and gate locking features are in conformance with the above provisions. These regulations shall apply only to a permanent type pool attached to or within the ground.

Not Applicable

(501.10) Within any front yard (front yard shall also include a corner lot in which both yards abutting a street shall be deemed a front yard), in all zoning districts, no chain link or similar woven wire fence shall be permitted. However, within a front yard in the aforementioned districts, a decorative or ornamental rail, split rail, picket, opaque, basket weave or similar fence constructed of wooden materials may be permitted provided that said fence does not exceed four feet in height. Columns comprised of brick, stone or similar material may be placed between fence sections in the front yard. Decorative wrought iron shall also be permitted provided that said fence does not exceed four feet in height.

Not Applicable

(501.11) Accessory structures will be limited to one per lot. The size of the accessory structure will not exceed one-fourth the total square footage of the principal building. The accessory structure will be built with materials and style similar to the principal building or any material and style commonly associated with an accessory structure. The height shall not exceed 15 feet. Structures or buildings commonly transported, with or without axles and/or wheels, and/or built upon a metal frame for transport, including but not limited to a receiver tongue for transporting, shall not be used as an accessory use or structure.

In Compliance

EXHIBIT #1

Parcel Detail

APN: Address:

Owner Name: Middleton, Matthew D

17045500520

3671 WISTERIA LN SE

Year Built : 1956

Acres : 0.3624 Zoning : R-15

In City Limits (Y/N):

Yes

Flood Zone:

X

Flood Zone : X
In FEMA flood zone : No

Neighborhood: West Smyrna Heights

Parcel number: #52 Lot Number: #7 Block: #J

Land Lot Number: #455

Major Street: South Cobb Drive

Major Street: South Cobb Drive
Well Known Landmark: Tolleson Park

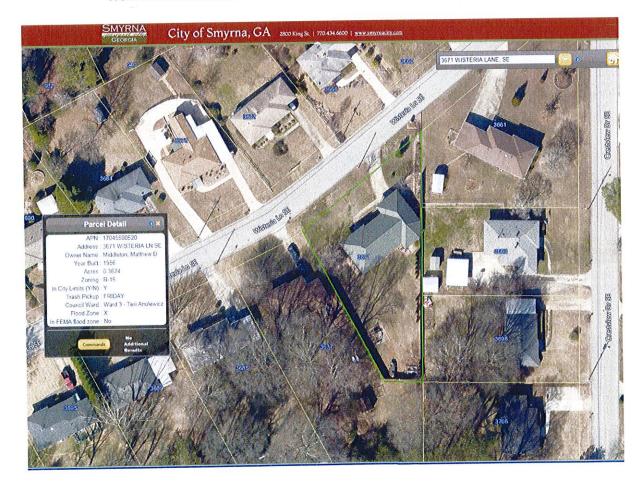


EXHIBIT #2

Zoning & Property Information for Subject and adjoining Properties

APN:

17045500520

Address:

3671 WISTERIA LN SE

Owner Name:

Middleton, Matthew D

Year Built:

1956

Acres:

0.3624

Zoning:

R-15

In City Limits (Y/N): Y

APN:

17045500510

Address:

3677 WISTERIA LN SE

Owner Name:

CARLIN PROPERTIES LLC

Year Built:

1956

Acres:

0.4447

Zoning:

R-15

In City Limits (Y/N): Y

APN:

17045500380

Address:

3678 WISTERIA LN SE

Owner Name:

FORBES, KAYLA M

Year Built:

1958

Acres:

0.2828

Zoning:

R-15

In City Limits (Y/N): Y

APN:

17045500370

Address:

3672 WISTERIA LN SE

Owner Name:

ANDERSON, OCTAVIA A

Year Built:

1958

Acres:

0.278

Zoning:

R-15

In City Limits (Y/N): Y

APN:

17045500360

Address:

3666 WISTERIA LN SE

Owner Name:

WEEKS, JASON

Year Built:

1959

Acres:

0.2755

Zoning:

R-15

In City Limits (Y/N): Y

CNNA ARCHITECTS

119 Luckie Street NW | Suite 100

Atlanta, Georgia 30303

Ph 404.522.0077 | Fx 404.522.0080

www.cnna.com

APN:

17045500530

Address:

3661 WISTERIA LN SE

Owner Name:

HARTWIG, UTE

Year Built :

1956

Acres :

0.454

Zoning:

R-15

In City Limits (Y/N): Y

APN:

17045500540

Address:

3686 CRESTVIEW DR SE

Owner Name:

HEMBREE, MICKEY

Year Built :

1956

Acres:

0.2824

Zoning:

R-15

In City Limits (Y/N): Y

17045500550

Address:

APN:

3698 CRESTVIEW DR SE

Owner Name:

MCCLAIN, STEVEN H JR

Year Built:

1956

Acres:

0.2755

Zoning:

R-15

In City Limits (Y/N): Y

APN:

17045500560

Address:

3706 CRESTVIEW DR SE

Owner Name:

ROBSON, ERIC

Year Built:

1959

Acres:

0.2686

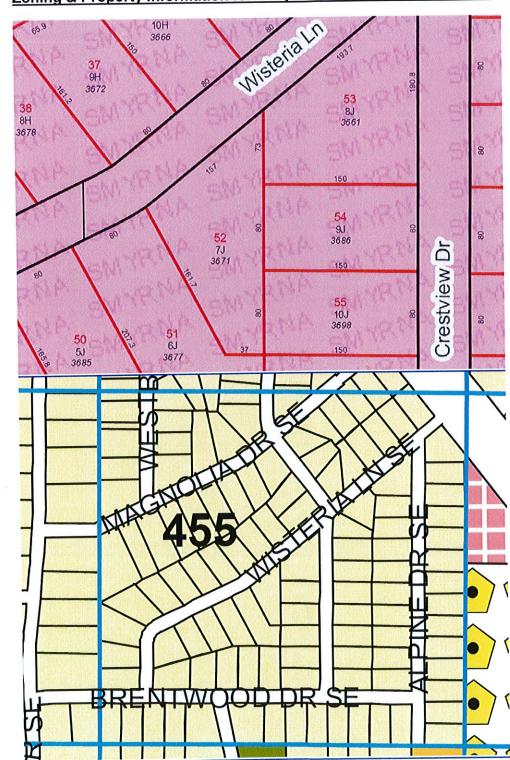
Zoning:

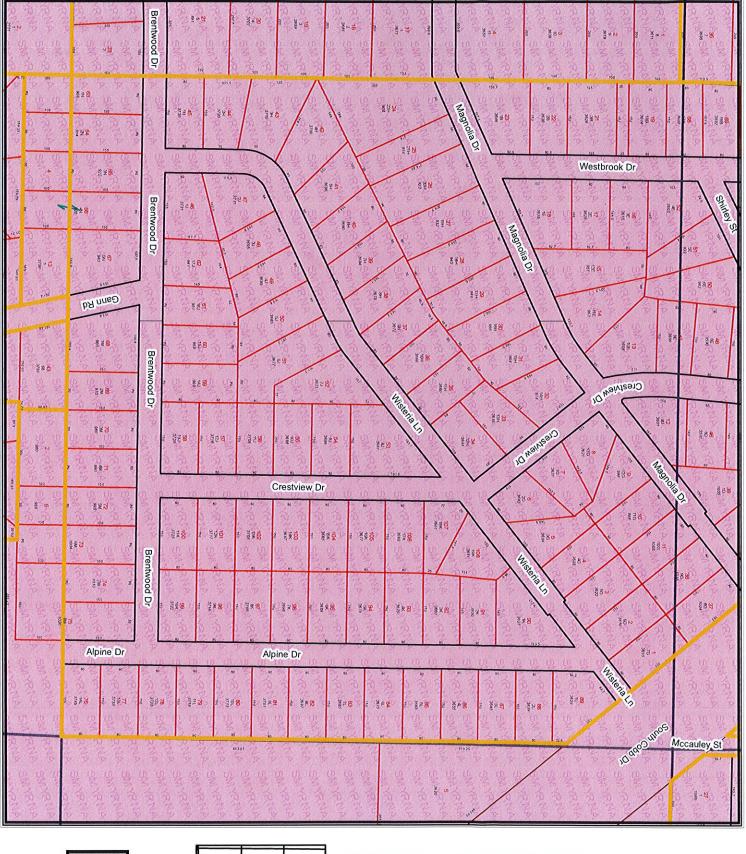
R-15

In City Limits (Y/N): Y

EXHIBIT #2

Zoning & Property Information for Subject and Adjoining Properties







| 17-409 | 17-410 | 17-411 |
|--------|--------|--------|
| 17-456 | | 17-454 |
| 17-481 | 17-482 | 17-483 |

| 17-410 | 17-411 | | | | | Misc | | | C.I.D | [| | | | | distance | | City | Commence | | | | | | | Legend | |
|--------|--------|---|-------|---------------------|------------|------|-------------|-----------------|--------|----------------|-------|----------------|----------|----------|----------|---------|-------|---------------|----------------|-----------|------------------|-----------|--------------|----------------------------------|---------------|--|
| | 17-454 | | Parks | Water Property line | Land hooks | | Town Center | Cumberland Mall | Limits | Unincorporated | Smyma | Powder Springs | Marietta | Kennesaw | Austell | Acworth | imits | Cobb Boundary | Boundary | Land Lots | Water Region | Trail ROW | Railroad ROW | Parcel 00 Lot Num 00 Street A | ind | |
| 17-482 | 17-483 | | | line | | 227 | | ar tubura | | | | | | | | | | 0000000 | Daniel Control | | Name of the last | | | umber (Address | Marie Section | |
| | | 8 | | | | | | | | | | | | | | | | | | | | | | | | |

EXHIBIT #3

Exceptional Circumstances Summery



Irregular-Triangular Property Geometry:

- Please reference the attached property survey, City Satellite image and prepared site plan.
- The property was configured with a "Triangular" geometry with a broad street frontage and a very narrow rear property line. The traditional 'rear of the yard' placement of this type of barn would put it in an odd location and consuming a significantly disproportionate land are because of the R-15 rear and side yard setback requirements.
- The proposed placement is 3'-0" from the side property line and between sets of existing landscape evergreens, Arborvitae. It shall be alongside an existing 6'-6" high stained cedar privacy fence and opposite the rear yard placement of a neighbor's two accessory buildings, a workshop and storage sheds within the 5'-0" rear property setback line.
- The proposed location preserves the "openness" of the existing yard for family sports activity and monitored children's open play area.

Evolving and expanding family conditions at the primary residence:

- Since I originally bought the house in February of 2001 as a bachelor, My wife, Desire', and I have been married for almost 14 years and we added our child, Emily, to our home almost 8 years ago. The primary residence building, our home, has been through both a complete interior renovation and a substantially significant exterior renovation that has enhanced the residential functions and aesthetics from the original building. Even with these significant improvements the function of exterior yard storage does not currently exist on our property.
- Currently, wheel borrows, a lawn mower, a rotor-tiller, a weed sprayer, appliance
 dollies, blowers, electric shrub trimmers, garden soil, gardening tools such as
 shovels and rakes are stored on an open back porch, along the fence and under
 the rear eave of the house.
- A properly enclosed and weather protected structure is needed to contain these
 property maintenance items for the appearance of the property, the care of the
 tools and the ability to use the exterior spaces as intended for family enjoyment
 rather than ancillary storage.
- Please reference the attached photographic exhibits of items stored in the rear porch and yard.

Internal Property Visibility for a 'type 1 diabetic' child's supervision:

- The importance of monitoring a 'type 1 diabetic' relates to the "Low Blood Sugar" episodes that commonly happen with children with this condition when they are active. These events are potentially life threating when left unattended but easily preventable with carbohydrate intake is provided in a timely fashion.
- My wife and my ability to routinely monitor and supervise our child, Emily, in her own yard during activity is an important part of avoiding a "Low Blood Sugar" event.
- The barn placement with a 10'-0" side yard property setback would cause visual impairments to our back yard from the home's rear facing windows, particularly the kitchen sink window.
- Please note that I am a parent of a 'type 1 diabetic' since she was two years three months old, a total of five and half years of continuous diabetic caregiving, a serving member of the Diabetes Family Advisory Board with the Children's Healthcare of Atlanta, and an Advisory Board Member for Camp Kudzu, the only Diabetic certified camp program in the State of Georgia.

EXHIBIT #3 (Continued)

Exceptional Circumstances Summery (continued)

The original metal shed:

- "The lime green, leaky, rust box" as it was affectionately known was decades old and removed / recycled 4 years ago and the former location replaced with the current child's sandbox. The 8'-0" x 8'-0" x 6'-0" high metal storage shed's location was within 2'-0" of both side and rear property lines and would have been a zoning ordinance violation to replace it in its previous, original location.

Original and Existing subdivision conditions:

- Single Carports under the main building roof are common in the 'West Smyrna Heights' neighborhood. A few original residences also have the "lean-too" style carports in addition to the primary carport. This is under cover, but not enclosed style of vehicular and exterior storage as a primary condition in this neighborhood. No enclosed garages were provide in the original 'West Smyrna Heights' neighborhood to provide exterior enclosed weather resistant storage.
- The only original provisions for exterior storage were 8'-0" x 8'-0" x 6'-0" high metal storage sheds that have all been eliminated in this neighborhood.
- Exterior storage in the 'West Smyrna Heights' neighborhood has been added over the years through a variety of building types including open metal roof canopies, masonry buildings, pre-fabricated wood barns in traditional 'red' or more contemporary colors.
- Many existing examples of the "added exterior storage" in the 'West Smyrna
 Heights' neighborhood include multiple and varied structures to accomplish the
 storage type desired. Locations on the individual properties are also varied,
 some abiding by the zoning ordinance and many of them do not.

Full height perimeter property screen fence:

- Three years ago, a 6'-6" high, stained cedar privacy fence was installed just inside the existing 4'-0" high galvanized chain link fence. This fence shall limit the views of the new garden storage barn from the surrounding properties

EXHIBIT #4

FAX NO. P. 92/02 JAN-24-C1 WED 10:58 AM 82/82/1997 23:14 7704381429 MOGLUMB SURVEYINS PAGE 02 N 50°24'27"E 42.34 1935 TO 5.W. ,60 EIN OF CRESTVIEW DENE (50 PM) 231.40 Acres CH : N 82" 5 '28"E 103.28 WISTERIA 90 'n 800 2 824; 78, 80..M 36.76 3671 WISTERIA LAME O. 36 ACRES SHYRUA, GA. PROPERTY OF ORG MATTHEIN D. MIDOLETTON BLOCK J. This property (iii hat) located in a Federal Flood Area-us tidioaled by F.I.R.M. Difficial Flood Hazard Maps. SMYRNA HEIGHTS WEST? LAND LOT 456 In my opinion this plat is a correct representation of the Hind ofellod. DISTRICT 1774 SECTION PHIE COUNTY COES PB 17 PG65 GEORGIA Penpen smould not be placed using side dimeralions from house. DATE 1-22-01 SCALE 1" - CO PANY E MCChing, Surveyo

A January 22, 2001, McClung Surveying property survey of Lot "7", Block "J" of the 'West Smyrna Heights' land lot #455

EXHIBIT #5

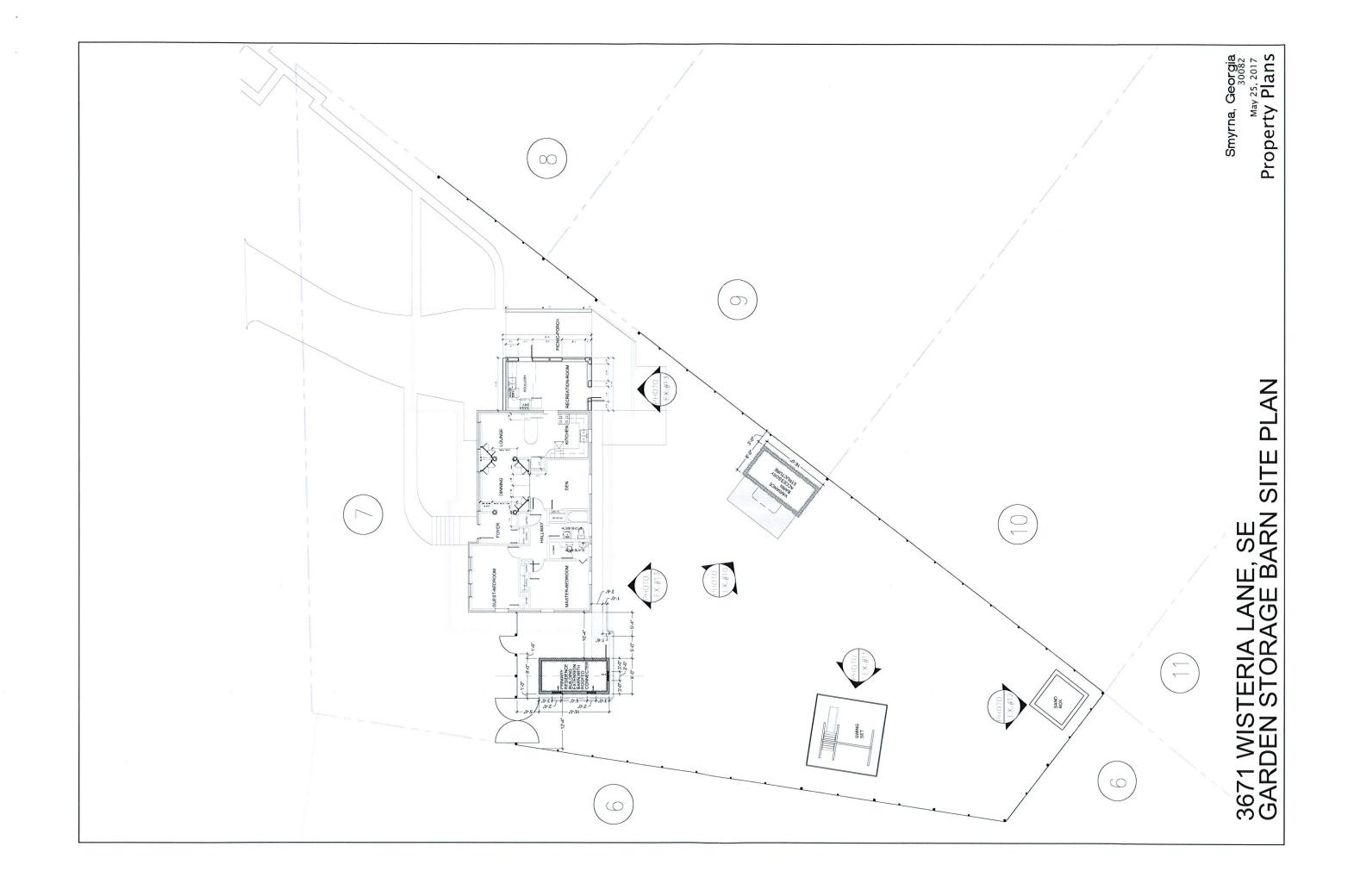
- The filled out Zoning Ordinance Variance Application with Signature of Subject Property Owner

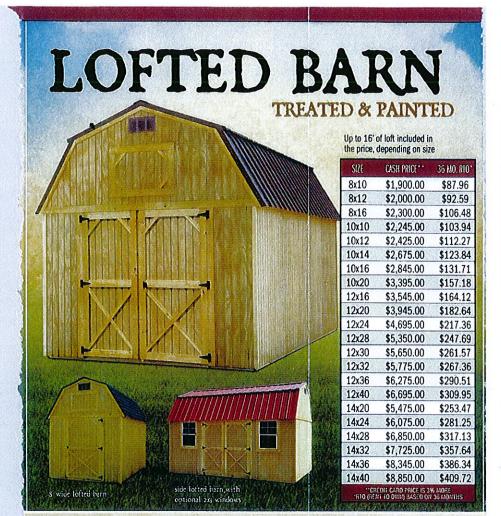


EXHIBIT #6

Proposed Site Plan of new garden storage barn







QUALITY MATERIAL • QUALITY CONSTRUCTION QUALITY WORKMANSHIP

QUALITY MATERIAL

- On the treated product line, siding is pressure treated Premium Grade 5/8" T1-11 plywood that features a lifetime warranty against termites and fungal decay.
- On the painted product line, siding is 50 year LP SMARTSIDE plywood.
- · All buildings come with locks and keys.
- Treated buildings come water sealed with 3 year water sealer.
- 30 year architectural shingles or 29 gauge metal roofs are standard.
- Skids and floor joists on all buildings are pressure treated.
- 5/8 treated floor decking

QUALITY CONSTRUCTION

- On the treated and painted product lines, wall studs are 24 Inch on center, doubled under siding seams to help seal building, same strength as 16 Inch on center (as in home construction).
- Floor joists are 2x4's, 16 inch on center and set into notched skids to prevent twisting. (Floor joists never span more than about 5 ft without being supported by a 4x6 skid.) Floor joists are 12 inch on center on all Garages and 10x20 size buildings.
- Skids are pressure treated 4x6's not 4x4's.

BUILD ON SITE

Backyard Outfitters offers a build-on-site program for those situations where delivery is not an option, or a customer wants a customized solution. See your dealer for more information. Backyard Outfitters cannot paint or water seal on site buildings.

QUICK FREE DELIVERY & EASY SETUP

(within 30 miles)

- Free delivery within 30 miles of sales lot, over 30 miles subject to additional charge
- Free setup includes leveling with customer supplied concrete blocks and driver supplied pressure treated shims. Drivers can supple concrete blocks for \$2 each.
- No site preparation necessary (if site is accessible with truck and trailer and site is no more than 2 feet out of level). Building will not settle as much if put on gravel or concrete pad.

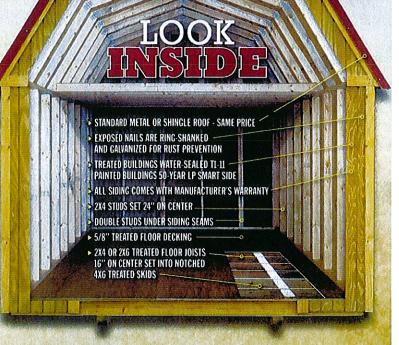
BUY OR RENT TO OWN NO CREDIT CHIECK!





RENT TO OWN

Our low monthly rental rates are comparable to miniwarehousing rates. Our no-strings plan allows you to have your own storage facility at your home or business, when and where you need it.



WARRANTY & GUARANTEE

- 5 Year Warranty: We offer a five year warranty on materials and workmanship. Some exclusions apply, see website or dealer for more details.
- Limited Lifetime Warranty: There is a limited lifetime warranty against termite damage and fungal decay on all pressure treated materials (from pressure treating company).
- Low Price Guarantee: We'll match any competitor's advertised price for same quality building. See above for materials and construction details.

No Credit Checks. Just a small security deposit (\$100 on 8' & 10' wide buildings, \$200 on 12' wide buildings, and \$700 on 14' wide buildings), plus your first month's rent and we'll set up a building at your location.

No Strings. The rental agreement is on a month to month basis, meaning you have the flexibility to turn in the building at anytime for any reason.

*after the initial period of 1-4 months, see salesman for details.



Markand Omitifiers, for, and its associates are not requested for permits, overhead searches, testinations, set tracks, yard damage, it make growing from the contract part food fundanty inspector or tinnearment describing in manufacture in its 10 metric material and easy every and an expression of the describing formation of the food in the contract of the contrac

All prices subject to change.

WWW.BACKYARDOUTFITTERSING.COM

BACKYARD OUTFITTERS, INC

FRANKLIN, TN 37064

GENERAL NOTES:

- 1. STRUCTURE HAS BEEN DESIGNED IN ACCORDANCE WITH THE 2009 INTERNATIONAL RESIDENTIAL CODE AND THE 2009 INTERNATIONAL BUILDING CODE.
- 2. ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ABOVE CODES AT THE TIME OF MANUFACTURE.
- 3. DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS.
- 4. STRUCTURES ARE CLASSIFIED AS "MINOR STORAGE FACILITIES" (OCCUPANCY CATEGORY I) AND SHOULD NOT BE USED FOR HUMAN HABITATION.
- 5. STRUCTURES ARE DESIGNED FOR LOCATIONS THAT HAVE A 3 SECOND WIND GUST OF 90 MPH. STRUCTURES SHOULD NOT BE USED IN OTHER LOCATIONS.
- 6. SIDING FASTENERS SHALL NOT BE INSTALLED IN PANEL SIDING GROOVES IN THE FIELD OF THE PANEL OR WHEN THE SIDING GROOVES OCCUR AT CUT EDGES OF THE SIDING PANEL.
- 7. STRUCTURES ARE DESIGNED FOR LOCATIONS THAT ARE NOT IN FLOOD HAZARD AREAS. STRUCTURES SHOULD NOT BE USED IN OTHER LOCATIONS.
- 8. STRUCTURES ARE DESIGNED FOR LOCATIONS THAT HAVE A MAXIMUM GROUND SNOW LOAD OF 60 PSF AND A PARTIALLY **EXPOSED TERRAIN CATEGORY AND SHOULD NOT BE** USED IN OTHER LOCATIONS.
- 9. STRUCTURES SHOULD HAVE 25 YEAR RATED FIBERGLASS/ ASPHALT SHINGLES OR 29 GA METAL ROOF OVER WOOD SHEATHING.

- 10. WOOD FRAMING SHALL COMPLY WITH THE ANSI/AF&PA "NATIONAL DESIGN SPECIFICATION (NDS) FOR WOOD CONSTRUCTION", 2005.
- 11. ALL ROOF DECKING IS TO BE 7/16" O.S.B.
- 12. ALL SIDING IS TO BE 1/2" or 5/8" TREATED T1-11 PLYWOOD.
- 13. ALL FLOOR JOISTS ARE TO BE PRESSURE TREATED SYP #2, OR BETTER.
- 14. ALL UN-TREATED WOOD FRAMING IS TO BE TO BE SPF #2 OR BETTER.
- 15. ALL EXTERIOR NAILS ARE TO BE ZINC COATED.
- 16. ALL FLOOR DECKING IS TO BE \(\frac{5}{8} \)" OR \(\frac{3}{4} \)" PLYWOOD.
- 17. ALL SKIDS ARE TO BE 4x6 PRESSURE TREATED. RATED FOR GROUND CONTACT.

ITEMS BY OTHERS:

THE FOLLOWING ITEMS ARE TO BE SUPPLIED AND INSTALLED BY OTHERS. THESE ITEMS MAY BE SUBJECT TO LOCAL JURISDICTION APPROVAL. BACKYARD OUTFITTERS IS NOT RESPONSIBLE FOR THESE ITEMS.

- 1. THE COMPLETE FOUNDATION AND TIE-DOWN SYSTEM
- 2. RAMPS, STAIRS, AND GENERAL ACCESS
- 3. ELECTRICAL SERVICE HOOKUP

DESIGN CRITERIA:

- INTERNATIONAL BUILDING CODE, 2009 OCCUPANCY CATEGORY I
- 2. LIVE LOADS: FLOOR: 40 PSF LOFT: 5 PSF ROOF: 20 PSF
- 3. SNOW LOADS ARE BASED ON THE FOLLOWING: GROUND SNOW LOAD, Pg = 60 PSF FLAT ROOF SNOW LOAD, Pf = 40 PSF EXPOSURE FACTOR, Ce = 1.0 IMPORTANCE FACTOR, I = 0.8 THERMAL FACTOR, Ct = 1.2
- 4. WIND LOADS ARE BASED ON THE FOLLOWING: DESIGN WIND SPEED: V = 90 MPH **EXPOSURE CATEGORY B** IMPORTANCE FACTOR, I = 0.87 INTERNAL PRESSURE COEFFICIENT: $GCpi = \pm 0.18$ COMPONENTS & CLADDING: ROOF-ZONE 1 = 6.9, -11.4 PSF ROOF-ZONE 2 = 6.9, -19.1 PSF ROOF-ZONE 3 = 6.9, -28.6 PSF

WALL-ZONE 4 = 12.7, -13.8 PSF

WALL-ZONE 5 = 12.7, -17.1 PSF

PIERS (IF REQUIRED):

- 1. DESIGN LOADS ARE IN ACCORDANCE WITH THE 1. PIERS ARE NOT REQUIRED WHEN THE SKIDS CAN BE SUPPORTED ON FIRM, LEVEL GROUND.
 - 2. PIERS SHALL TYPICALLY BE 8"x16" CONCRETE BLOCKS, DRY STACKED TO A MAXIMUM HEIGHT OF 3 FEET. CORNER PIERS OVER 16" TALL SHALL BE DOUBLE STACKED CONCRETE BLOCKS. TIE DOUBLE STACKED BLOCKS BY ALTERNATING THE DIRECTION OF BLOCKS ON EACH ROW. TREATED LUMBER WITH A MINIMUM BEARING AREA OF APPROXIMATELY 128 SQUARE INCHES MAY BE USED FOR PIERS LESS THAN 12" HIGH.
 - 3. BACKYARD OUTFITTERS IS NOT RESPONSIBLE FOR THE PREPARATION OF THE PROPOSED SITE OR DETERMINATION OF THE SITE'S SUITABILITY TO SUPPORT THE PROPOSED STRUCTURE. IT IS THE PROPERTY OWNER'S RESPONSIBILITY TO DETERMINE IF SITE CONDITIONS ARE SUITABLE TO SUPPORT THE STRUCTURE.
 - 4. PIERS SHOWN ON SHEET S-1 ARE CONCEPTUAL AND MAY NOT REFLECT ACTUAL CONDITIONS. THE PIER LAYOUT MAY BE ADJUSTED AS NEEDED BASED ON SITE CONDITIONS, PROVIDED THAT THE MAXIMUM SPACING SHOWN IS NOT EXCEEDED.

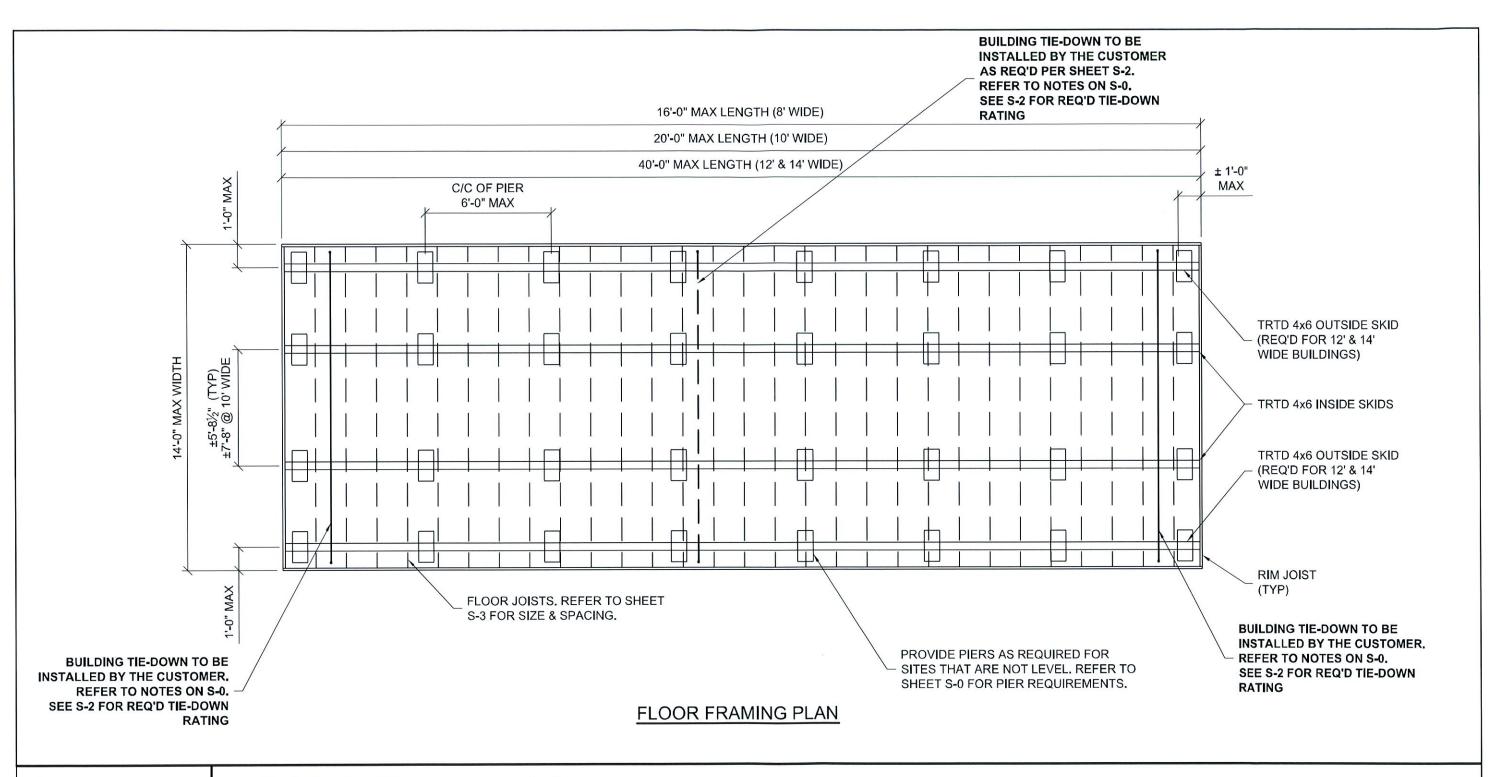




| PROJECT NO: | | |
|-------------|------------|--|
| DATE: | 09-13-2016 | |
| DRAWN BY: | KLN | |
| CHECKED BY: | KLN | |
| REVISION: | | |

SHEET NUMBER

SCALE:





LOFTED BARN



| - | PROJECT NO: | |
|---|-------------|------------|
| | DATE: | 09-13-2016 |
| | DRAWN BY: | KLN |
| | CHECKED BY: | KLN |
| | REVISION: | |

SHEET NUMBER

S-1-1 R-P

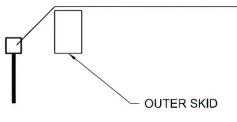
SCALE: NOT TO SCALE

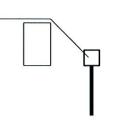
| UPLIFT ANCHORAGE SCHEDULE | | | | | | | | | | |
|---------------------------|--------------------|--------------|-----------|--------------|------------------|--------------|----------------|----------------|--|--|
| BLDG | BLDG 8' WIDE BLDGS | | | E BLDGS | 12' W I D | E BLDGS | 14' WIDE BLDGS | | | |
| LENGTH | NUMBER OF | REQ'D ANCHOR | NUMBER OF | REQ'D ANCHOR | NUMBER OF | REQ'D ANCHOR | NUMBER OF | REQ'D ANCHOR | | |
| | TIE-DOWNS | CAPACITY | TIE-DOWNS | CAPACITY | TIE-DOWNS | CAPACITY | TIE-DOWNS | CAPACITY | | |
| 10'-0" | 2 | 350# | 2 | 300# | - | - | - | - | | |
| 12'-0" | 2 | 400# | 2 | 300# | - | - | - | - | | |
| 14'-0" | 2 | 450# | 2 | 350# | - | - | 8. | - | | |
| 16'-0" | 2 | 500# | 2 | 350# | 2 | 300# | J- | y = | | |
| 18'-0" | | - | 3 | 300# | 2 | 350# | - | - | | |
| 20'-0" | - | - | 3 | 300# | 2 | 350# | 2 | 300# | | |
| 22'-0" | | - | - | - | 2 | 2 400# | | 300# | | |
| 24'-0" | - | | - | - | 2 | 2 450# | | 350# | | |
| 26'-0" | - | - | - | - | 2 | 500# | 2 | 400# | | |
| 28'-0" | - | - | - | - | 2 | 500# | 2 | 400# | | |
| 30'-0" | - | - | - | _ | 3 | 400# | 3 | 300# | | |
| 32'-0" | - | | - | - | 3 | 400# | 3 | 300# | | |
| 34'-0" | | - | - | - | 3 | 450# | 3 | 350# | | |
| 36'-0" | - | - | - | - | 3 | 450# | 3 | 350# | | |
| 38'-0" | | - | - | - | 3 | 500# | 3 | 350# | | |
| 40'-0" | - | - | - | - | 3 | 500# | 3 | 400# | | |

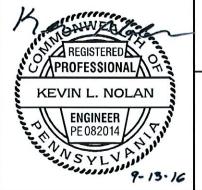
NOTES

- 1) TIE-DOWNS AND EARTH ANCHORS ARE TO BE SUPPLIED AND INSTALLED BY THE CUSTOMER. BACKYARD OUTFITTERS IS NOT RESPONSIBLE FOR THE TIE-DOWN SYSTEM. REFER TO NOTE SHEET S-0.
- 2) THE SCHEDULE INDICATES THE RECOMMENDED NUMBER OF BUILDING TIE-DOWNS TO BE INSTALLED BY THE CUSTOMER. EACH TIE-DOWN HAS TWO EARTH ANCHORS. EACH EARTH ANCHOR IS TO BE RATED FOR AT LEAST THE CAPACITY SHOWN IN THE SCHEDULE.
- 3) AT A MINIMUM, PROVIDE A TIE-DOWN NEAR EACH END OF THE BUILDING. REMAINING TIE-DOWNS (IF REQUIRED) SHOULD BE EVENLY SPACED ALONG THE ENTIRE LENGTH OF BUILDING.

BUILDING TIE-DOWN
W/ (2) EARTH ANCHORS
TO BE INSTALLED BY CUSTOMER.
(NOT PROVIDED BY BACKYARD OUTFITTERS)







LOFTED BARN

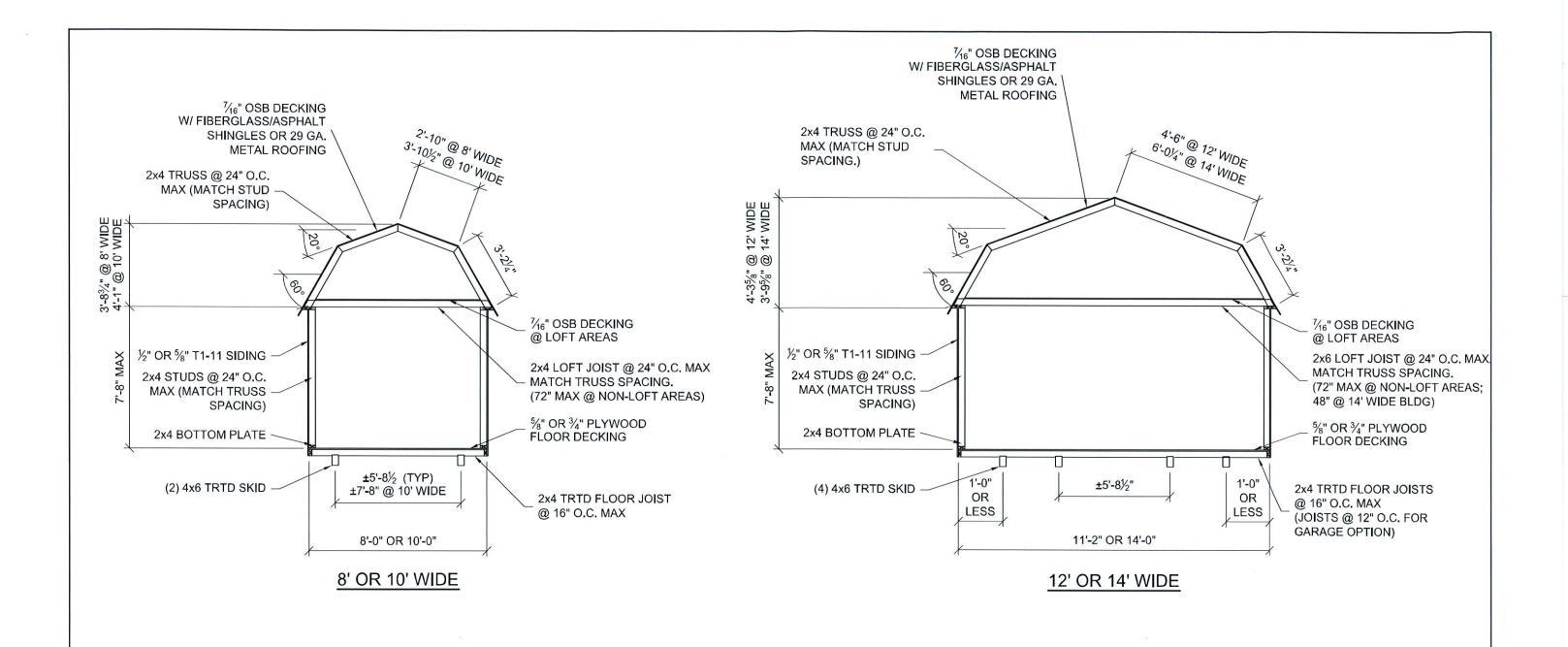


| PROJECT NO: | | |
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| DATE: | 09-13-2016 | |
| DRAWN BY: | KLN | |
| CHECKED BY: | KLN | |
| DEVICION. | | |

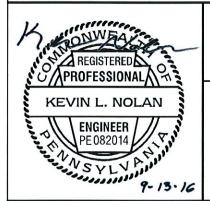
SHEET NUMBER

S-2-LB-PA

SCALE:



BUILDING SECTION

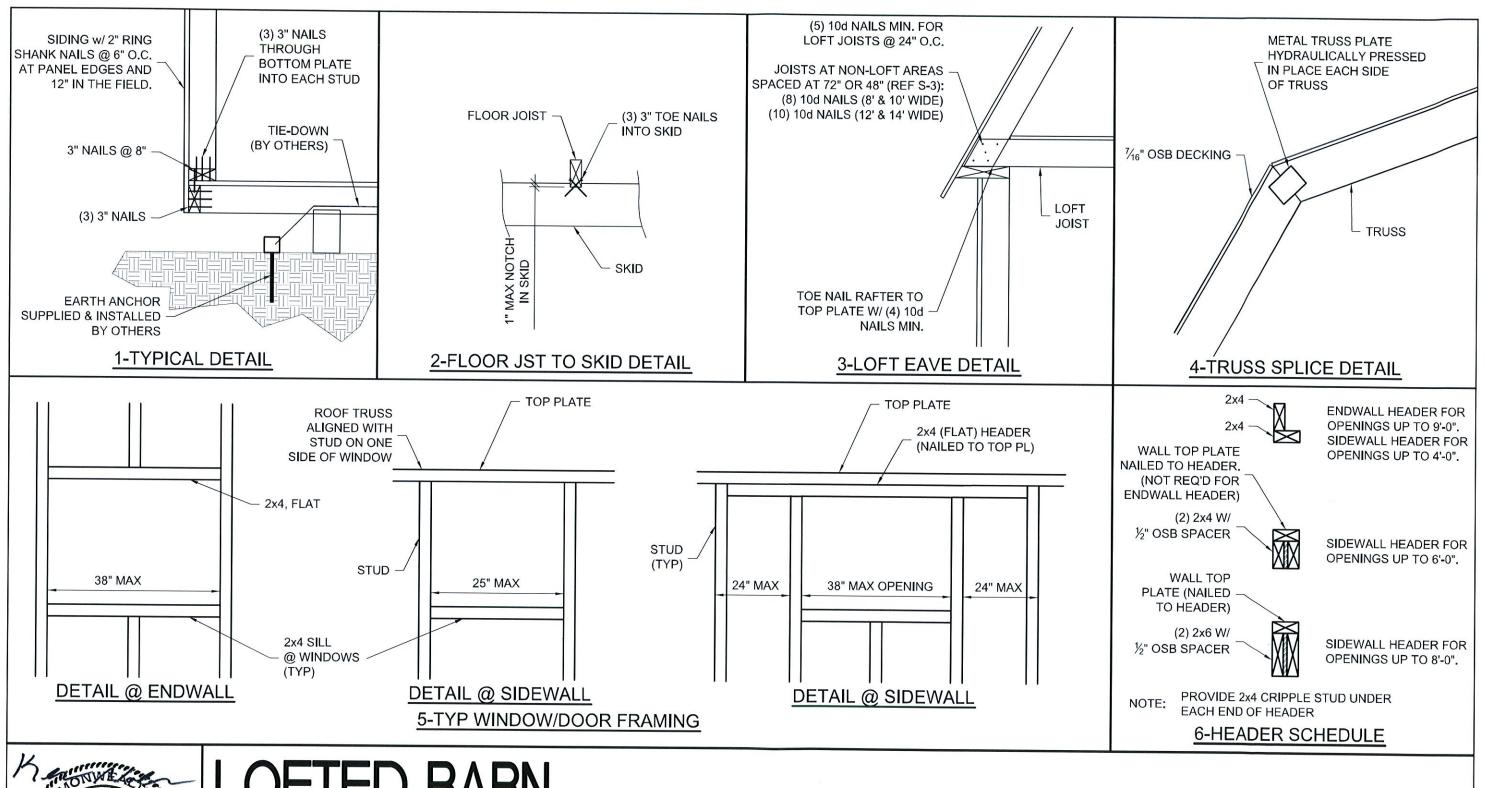


LOFTED BARN

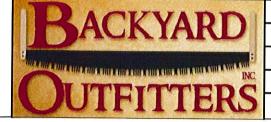


| PROJECT NO: | |
|-------------|------------|
| DATE: | 09-13-2016 |
| DRAWN BY: | KLN |
| CHECKED BY: | KLN |
| REVISION: | |

S-3-LB-PA
SCALE: NOT TO SCALE



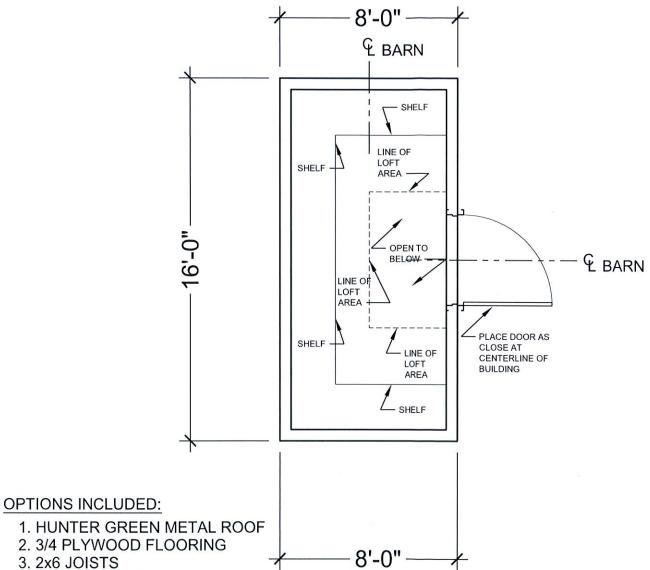




| PROJECT NO: | | |
|-------------|------------|--|
| DATE: | 09-13-2016 | |
| DRAWN BY: | KLN | |
| CHECKED BY: | KLN | |
| REVISION: | | |

SHEET NUMBER

SCALE: 1"=1'-0



- 4. 12" O.C. JOISTS
- 5. PROVIDE MEZZANINES AT EACH END AND ONE HALF OF MIDDLE OF BARN
- 6. PROVIDE BARN STYLE DOOR
- 7. PROVIDE 8'-0" HIGH WALLS
- 8. NO WINDOWS

EXHIBIT #7



- A set of technical construction documents of the pre-fabricated wood building
- A promotional brochure of the pre-fabricated wood building illustrating images/photographs as well as information regarding the construction attributes
- A descriptive narrative of the proposed building:
 - The exterior building material is 5/8" thick, pressure treated T1-11
 Plywood with a 3 year water sealer and with a lifetime warranty against termites and fungal decay
 - The building shall be stained with an additional wood preservative the same as the existing stained, cedar privacy fence
 - 29 gauge green metal roof similar in color to the existing batten standing seam metal roof on the primary residence
 - Structural enhancements for the flooring thickness to ¾ in. plywood and deeper, additional structural floor joists have been included to the 'Standard barn' as an option.

EXHIBIT #8



CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679



Scan to pay online!

COBB COUNTY TAX BILL 2016

Pay online at www.cobbtax.org or 1-866-729-2622 See the back of this bill for more payment information

A copy of your bill was sent to your mortgage company. See the back of this bill for more information about mortgage companies.

MIDDLETON MATTHEW D

3671 WISTERIA LN

YOUR PAYMENT IS DUE October 17, 2016

Late fees apply October 18, 2016

| Parcel ID | Fair Market Value | | Assessed Value | | Acreage Tax D | istrict | | Homestea | l Exemptio |
|------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------------|-------------------------------------------------|------------|-------------------|---------------|---------------------------------------------------|
| 17045500520 | 150,070 | DESCRIPTION OF THE PERSON OF T | 60,028 | | 0.00 6 - City | of Smyrn | a | Yes; 111 Basi | PERSONAL PROPERTY OF THE PERSON NAMED IN COLUMN 1 |
| Taxing Authority | Assessed Value | | Exemption | = | Net Assessment | X | Millage Rate | . = | Taxes Du |
| STATE | 60,028 | - | 2,000 | = | 58,028 | x | 0.000000 | = | \$0.00 |
| The Governor and | General Assembly passed a | tax i | relief act eliminating | your | state property tax. | | | | |
| SCHOOL | 60,028 | - | 10,000 | = | 50,028 | x | 0.018900 | = | \$945.53 |
| Levied by the C | obb County Board of Edu | catio | n representing appr | oxima | tely 77.30% of your taxe | es due. | | | |
| COUNTY | | | | | | | | | |
| Levied by the Bo | ard of Commissioners rep sament Relief Act: You rece | reser | nting approximately : an increased exemp | 22.70 tion o | % of your taxes due. f \$10,412.00 because y | our proper | ty's value was re | eassessed. | |
| County Genera | | _ | 20,412 | = | 39,616 | × | 0.008680 | = | \$263.84 |
| County Bond | 60,028 | - | 0 | = | 60,028 | × | 0.000230 | = | \$13.81 |
| Courty Dolla | N/A | _ | N/A | = | N/A | × | N/A | = | N/A |

| Tax Year | Parcel ID | Due Date | Appear | Appeal Amount | | Total Taxes Due | |
|----------|-------------|--------------------|---------------|---------------|-----------------|-----------------|--|
| 2016 | 17045500520 | 10/17/2016 | Pay: | N/A | 17 m | \$1,223.18 | |
| Tax Year | Parcel ID | Due Date | Appeal Amount | | Total Taxes Due | Amount Enclosed | |
| 2016 | 17045500520 | 10/17/2018 Pay: | N/A | or | \$1,223.18 | | |

2016 COBB COUNTY TAX BILL

MIDDLETON MATTHEW D 3671 WISTERIA LN

SMYRNA, GA 30082



| | 1.00 m | |
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| | 半贯 | X |

| My mailing address has changed. | i want to remove homestead exemptions. |
|------------------------------------|----------------------------------------------|
| | Date Moved: |
| w Mailing Address: | |
| w Mailing Address: | |

A copy of the invoice for the Cobb County Property taxes in 2016

EXHIBIT #8 (Continued)

Printed: 4/28/2017

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER CHELLY MCDUFFIE CHIEF DEPUTY 770-528-8600 Fax: 770-528-8679

Payer: PHH MORTGAGE CORP/ROCHESTER

MIDDLETON MATTHEW D

Payment Date: 10/7/2016

| Tax Year | Parcel ID | Due Date | | Appeal Amount | | Taxes Due |
|----------|-------------|------------|-----------|---------------|----|-----------|
| 2016 | 17045500520 | 10/17/2016 | Pay: | N/A | or | \$0.00 |
| Interest | Penalty | Fees | Total Due | Amount Paid | | Balance |
| \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,223.18 | | \$0.00 |



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

EXHIBIT #8 (Continued)



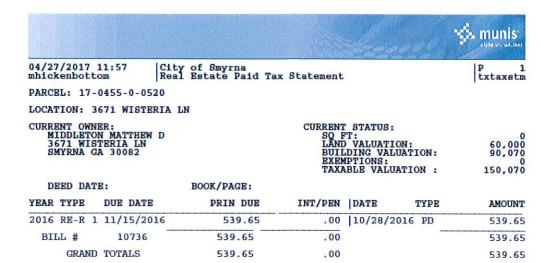


EXHIBIT #9

- Proof of notices to all adjoining property owners via certified mail



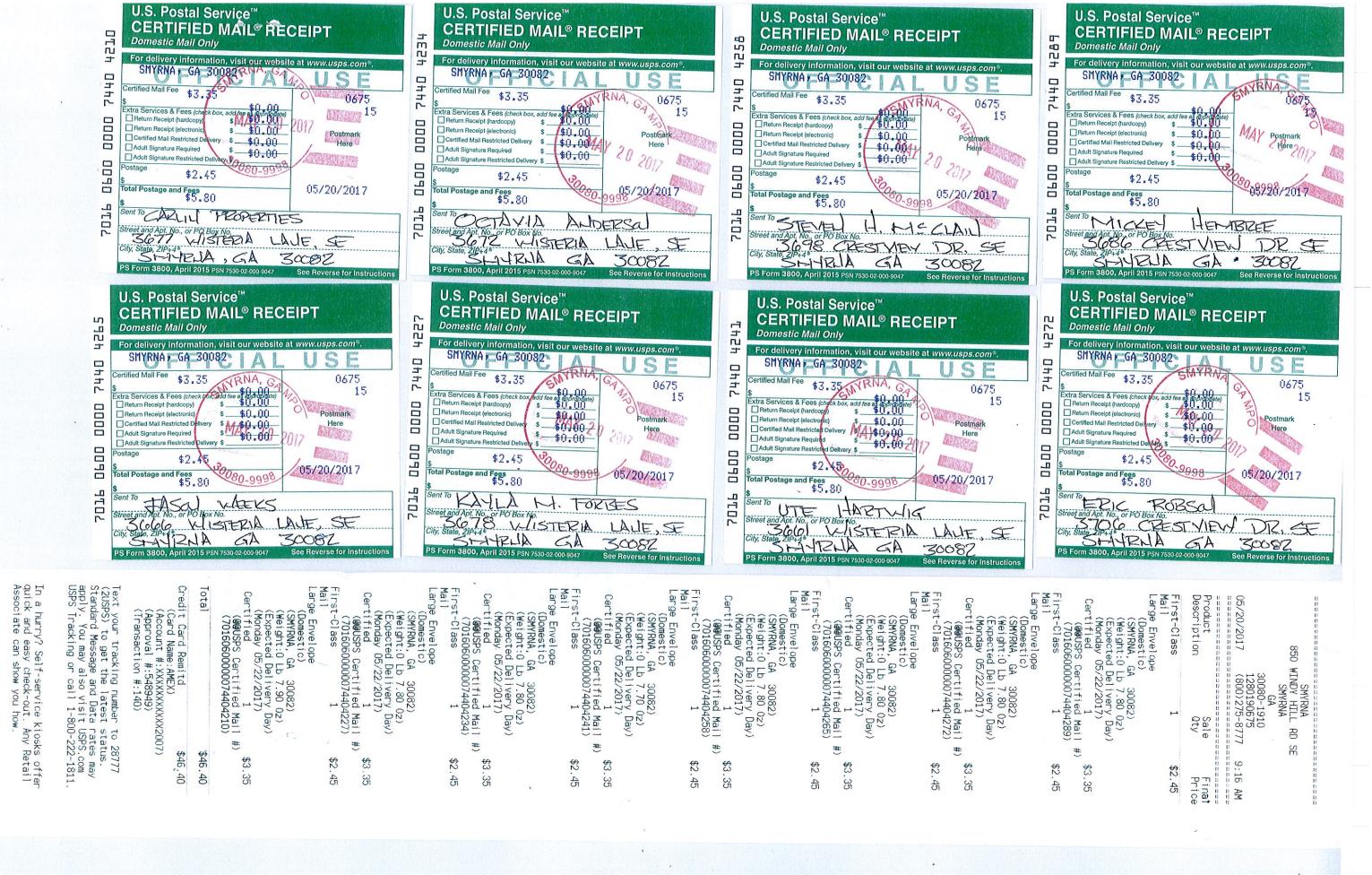
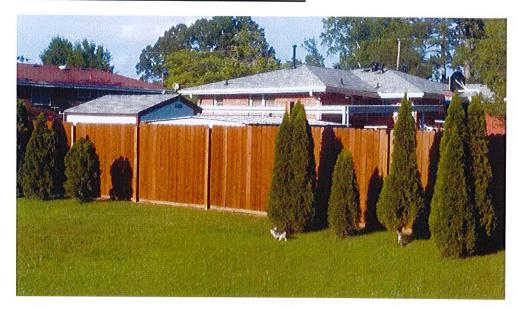


EXHIBIT #10

Proposed Garden Storage Barn Location





Proposed location of Garden Storage Barn is in-between the 'Arborvitae' trees



Proposed location of Garden Storage Barn is in-between the 'Arborvitae' trees, the fence posts are 8'-0" apart and the posts on each side of the trees are equivalent to the 16'-0" width of the Garden Barn.

EXHIBIT #11

Emily's Swing Set





Emily on her swing set facing south, note exterior garden/lawn tool storage beyond



Emily's swing set facing west

EXHIBIT #12

Emily's Sand Box

(Original storage shed location of the "Lime Green, Leaky Rust Box")



Emily's sand box with seasonal cover on facing east



Emily's sand box with seasonal cover rolled up behind the back facing east

EXHIBIT #13

Current Exterior Storage Areas





Under the rear porch exterior garden supplies and lawn tool storage



Under the rear roof eave exterior lawn tool storage

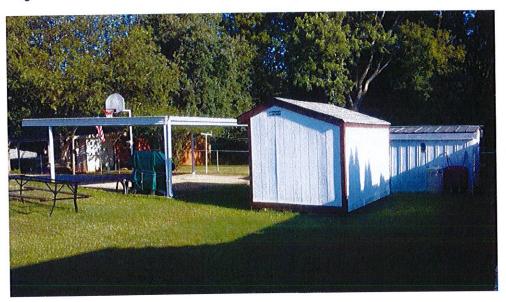
EXHIBIT #14

Neighbors Potential Accessory Buildings and Uses





Neighbors to the south, are these examples of accessory buildings or uses?



Neighbors to the north, are these more examples of accessory buildings or uses?

EXHIBIT #14 (Continued)

Neighbors Potential Accessory Buildings and Uses (Continued)



Neighbors to the north, are these more examples of accessory buildings or uses?