

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.

- 1) 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.

Thank you,

Matthew D. Middleton
Associate; Senior Project Manager



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 discussion points 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?
 - o 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**
 - o 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.
 - o 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:
 - o **402.56 – Structure**
 - o 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**
 - o 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:
 - o Tennis Court Dimensions measure 78 ft. x 36 ft. or 2,808 sq. ft
 - o Typical swimming pool dimensions are 10 x 20, 15 x 30, and 20 x 40 or 200 sq. ft. – 800 sq. ft.
 - o 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 quite 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’.
 - o 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.
 - o Is it the intention of this family based community to go to those extremes for the regulation of a child’s swing set?
 - o 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.
 - o To what extents are ‘uses’ on residential property as intended by the ordinance?
 - o How can the term ‘use’ be used if it does not have a practical definition in the ordinance?
 - o 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.
 - o How far will this ‘interpretation’ reach?
 - o How different in “Use” is a swing set to the above examples?
 - o 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.
 - o 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.
 - o 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.



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 : 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) : Yes
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
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



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

APN : 17045500550
Address : 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

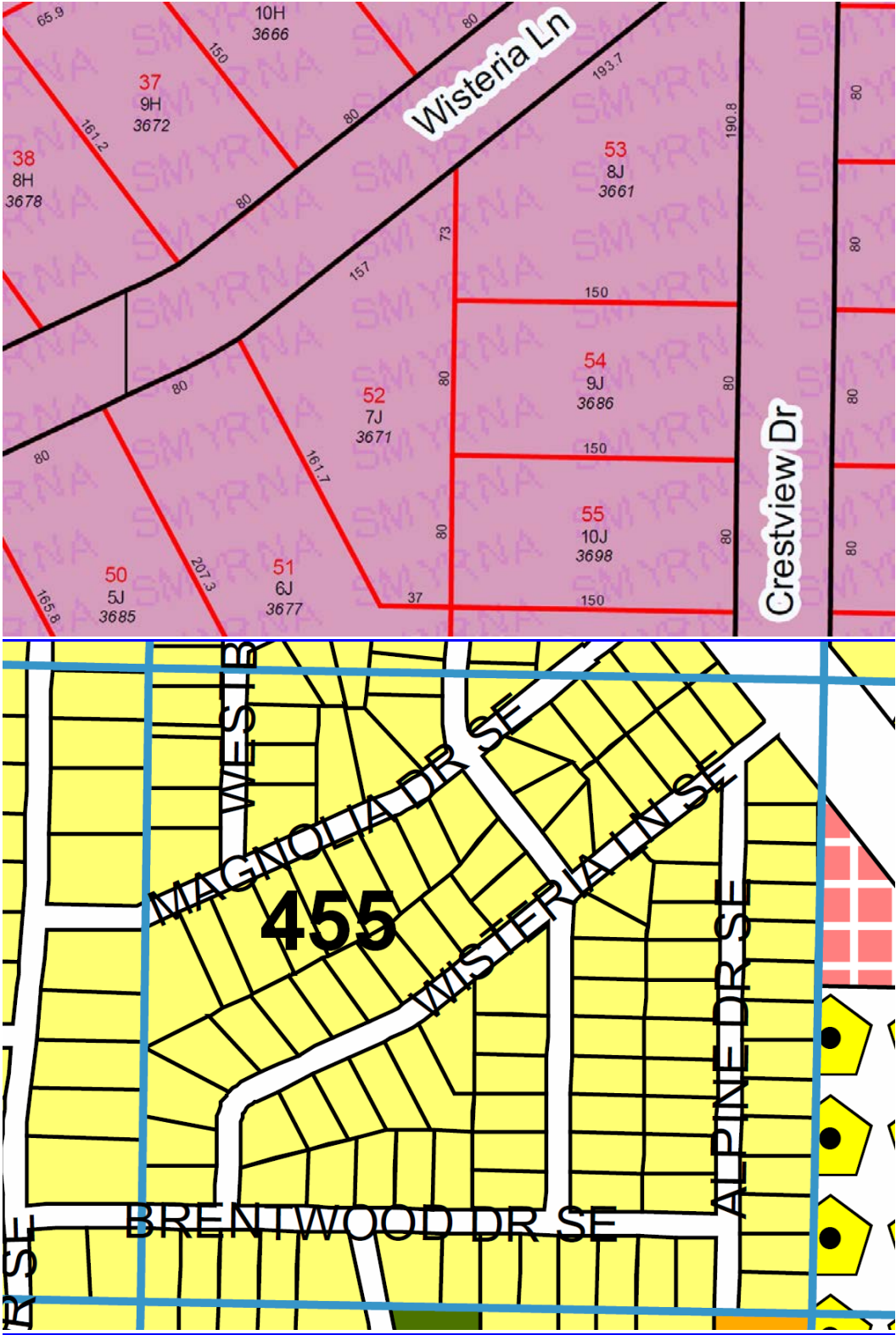


EXHIBIT #3

Exceptional Circumstances Summary



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 area 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 threatening 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 Summary (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

JAN-24-01 WED 10:58 AM

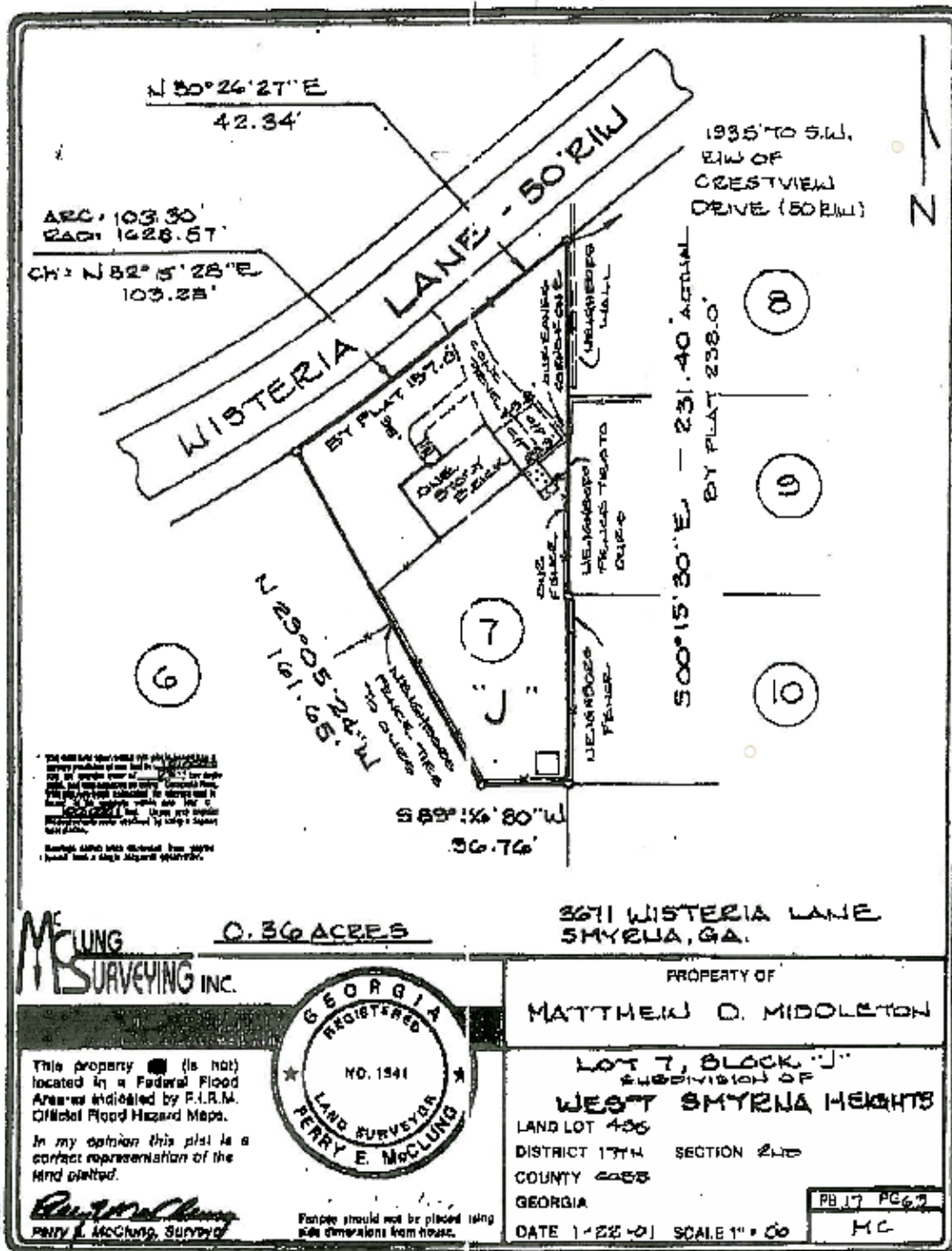
02/02/1997 23:14 7704381429

FAX NO.

MOCLUNG SURVEYING

P. 02/02

PAGE 02



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



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@prodigy.net

Signature of Representative: 

TITLEHOLDER: Loancare a subsidiary 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: _____

- 1) 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 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

(To be completed by City)

Received: _____

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 _____

Matthew D. Middleton of 3671 Wisteria Lane SE, Smyrna, GA 30082

Intends to make an application for a variance for the purpose of _____

Adding a garden storage barn to the backyard of the property.

_____ on the premises described in the application.

NAME	ADDRESS
<u>D D Carl</u>	<u>CARLIN PROPERTIES LLC 3677 WISTERIA LN SE</u>
<u>Kayla M</u>	<u>FORBES, KAYLA M 3678 WISTERIA LN SE</u>
<u>Ute Hartwig</u>	<u>ANDERSON, OCTAVIA A 3672 WISTERIA LN SE</u>
<u>Mickey Hembree</u>	<u>HARTWIG, UTE 3661 WISTERIA LN SE</u>
<u>Steven H McClain</u>	<u>HEMBREE, MICKEY 3698 CRESTVIEW DR SE</u>
<u>Eric Robson</u>	<u>MCCLAIN, STEVEN H JR 3698 CRESTVIEW DR SE</u>
<u>Jason Weeks</u>	<u>ROBSON, ERIC 3706 CRESTVIEW DR SE</u>
	<u>WEEKS, JASON 3666 WISTERIA LN SE</u>

**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 SE, Smyrna, GA 30082

Intends to make an application for a variance for the purpose of _____

Adding a garden storage barn to the backyard of the property.

_____ on the premises described in the application.

NAME	ADDRESS
_____	CARLIN PROPERTIES LLC 3677 WISTERIA LN SE
_____	FORBES, KAYLA M 3678 WISTERIA LN SE
<u>Octavia Anderson</u>	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

VISUAL MATERIALS

Handouts are not permitted during the meeting or large renderings and plats that require use of an easel.

Any questions regarding presentations can contact: Terri Graham, City Clerk at 770-319-5303

ZONING ORDINANCE

SEC. 1403. VARIANCE REVIEW STANDARDS.

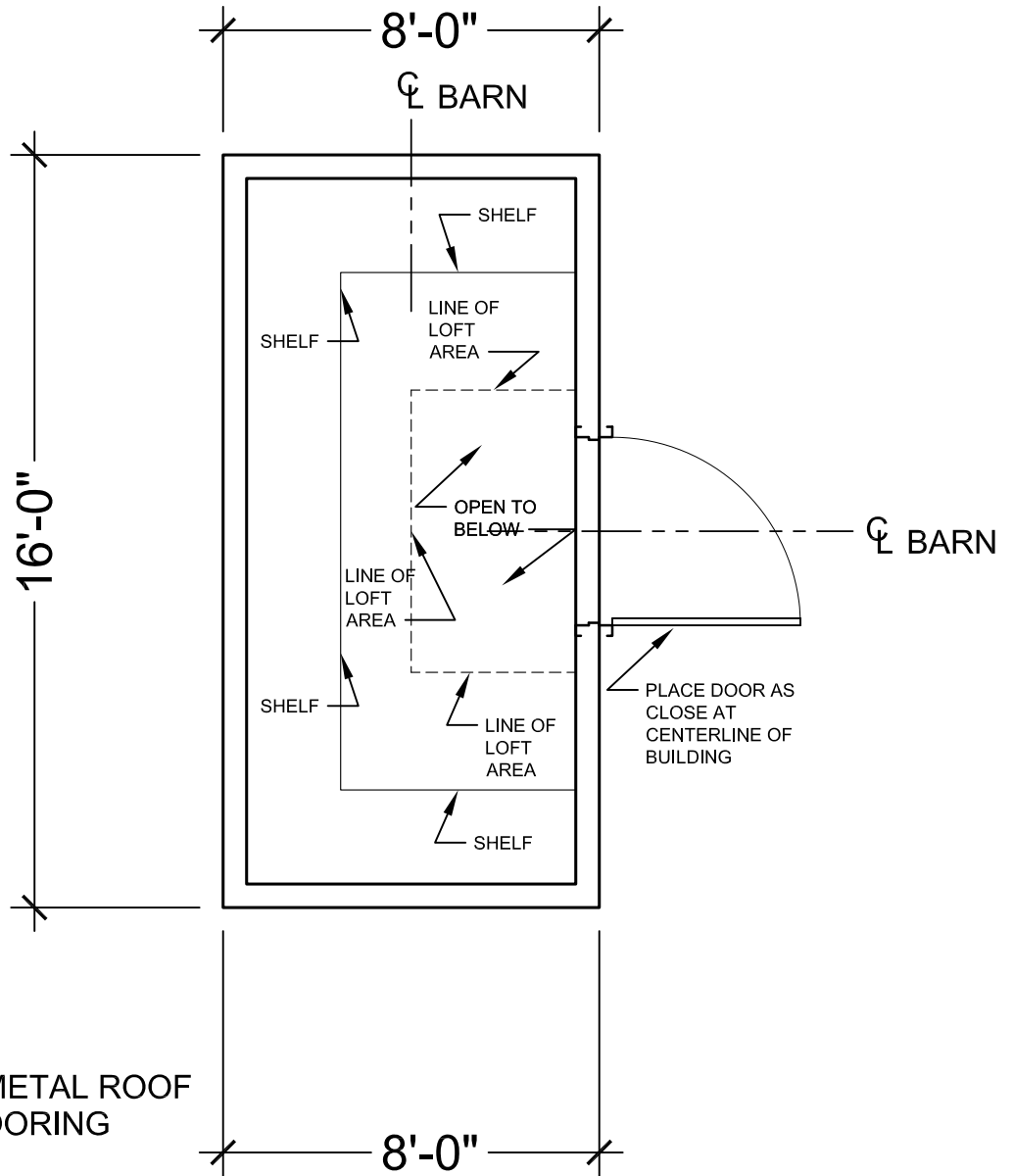
(a) In rendering its decisions, the License and Variance Board or Mayor and City Council shall consider the following factors:

- (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.

EXHIBIT #6

- Proposed Site Plan of new garden storage barn





OPTIONS INCLUDED:

1. HUNTER GREEN METAL ROOF
2. 3/4 PLYWOOD FLOORING
3. 2x6 JOISTS
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:
 - o 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
 - o The building shall be stained with an additional wood preservative the same as the existing stained, cedar privacy fence
 - o 29 gauge green metal roof similar in color to the existing batten standing seam metal roof on the primary residence
 - o Structural enhancements for the flooring thickness to 3/4 in. plywood and deeper, additional structural floor joists have been included to the 'Standard barn' as an option.

EXHIBIT #8

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



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



Scan to
pay online!

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 District	Homestead Exemption
17045500520	150,070	60,028	0.00	6 - City of Smyrna	Yes; 111 Basic

Taxing Authority	Assessed Value	-	Exemption	=	Net Assessment	x	Millage Rate	=	Taxes Due
STATE	60,028	-	2,000	=	58,028	x	0.000000	=	\$0.00

The Governor and General Assembly passed a tax relief act eliminating your state property tax.

SCHOOL	60,028	-	10,000	=	50,028	x	0.018900	=	\$945.53
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Levied by the Cobb County Board of Education representing approximately 77.30% of your taxes due.

COUNTY

Levied by the Board of Commissioners representing approximately 22.70% of your taxes due.

Taxpayer Reassessment Relief Act: You received an increased exemption of \$10,412.00 because your property's value was reassessed.

County General	60,028	-	20,412	=	39,616	x	0.008860	=	\$263.84
County Bond	60,028	-	0	=	60,028	x	0.000230	=	\$13.81
County Fire	N/A	-	N/A	=	N/A	x	N/A	=	N/A

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

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due	Amount Enclosed
2016	17045500520	10/17/2016	N/A or	\$1,223.18	

IS YOUR INFORMATION UP TO DATE?

☐

My mailing address
has changed.

☐

I want to remove
homestead
exemptions.

Date Moved:

New Mailing Address:

Signature :

2016 COBB COUNTY TAX BILL

MIDDLETON MATTHEW D

3671 WISTERIA LN

SMYRNA, GA 30082



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

EXHIBIT #8 (Continued)



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

Printed: 4/28/2017

Cobb County Online Tax Receipt

Thank you for your payment!

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!

A copy of the receipt of payment for the Cobb County Property taxes in 2016

EXHIBIT #8 (Continued)





04/27/2017 11:57 | City of Smyrna | P 1
 mhickenbottom | Real Estate Paid Tax Statement | txtaxstm

PARCEL: 17-0455-0-0520

LOCATION: 3671 WISTERIA LN

CURRENT OWNER:	CURRENT STATUS:
MIDDLETON MATTHEW D	SQ FT: 0
3671 WISTERIA LN	LAND VALUATION: 60,000
SMYRNA GA 30082	BUILDING VALUATION: 90,070
	EXEMPTIONS: 0
	TAXABLE VALUATION : 150,070

DEED DATE:			BOOK/PAGE:				
YEAR	TYPE	DUE DATE	PRIN DUE	INT/PEN	DATE	TYPE	AMOUNT
2016	RE-R 1	11/15/2016	539.65	.00	10/28/2016	PD	539.65
	BILL #	10736	539.65	.00			539.65
	GRAND TOTALS		539.65	.00			539.65

A copy of the receipt of payment for the City of Smyrna Property taxes in 2016

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?