



RESIDENTIAL AND NON-RESIDENTIAL VARIANCE APPLICATION

City of Smyrna Community Development Department, 3180 Atlanta Rd, Smyrna, GA 30080
Office Phone 770-319-5387 / Fax 770-431-2808

Variance applications are due Thursday by 12 pm, 20 days prior to the License and Variance Board Meeting. Applications are to be submitted to the Community Development Office located on the 2nd floor of Brawner Hall at 3180 Atlanta Road, Smyrna, GA 30080.

The License and Variance Board meets the 2nd and 4th Wednesday of each month. Hearings begin at 10 am in the Council Chambers in City Hall at 2800 King Street, Smyrna, GA 30080. (If the City is under Covid-19 protocol, the meeting will be held in the large gym of the Smyrna Community Center located at 200 Village Green Circle, Smyrna, GA 30080.) Notification of meeting location will be provided after acceptance of the variance application.

The following materials and information must be provided in the variance application upon submittal:

1. Location of property, to be identified by land lot number, street address, and present zoning classification. Also, general descriptive information such as major streets or other well-known landmarks.
2. A comprehensive narrative detailing the extraordinary and exceptional conditions which will necessitate a nonconforming use. See Zoning Ordinance Section 1403 - Variance Review Standards on Page 4 of the application. (**Required**)
3. Signature of the subject property owners or in the case of a corporation a duly authorized officer.
4. A copy of the plat of the subject property.
5. A to-scale site plan, if constructing a new structure or an addition to an existing structure on the subject property.
6. An elevation, rendering or photographic example of the structure, if constructing a new structure or an addition to an existing structure on the subject property. Also, a brief description of building and exterior materials proposed for the structure must accompany elevation, rendering or photographic example.
7. A copy of the paid tax receipts (**City and County**) for the subject property or a statement signed by an official in the Tax Commissioner's Office. If the application consists of several tracts, a copy of the paid tax receipts of each tract is required.
8. The petitioner shall notify all adjacent and abutting property owners by delivering a copy of the variance petition by hand delivery or by certified mail with return receipt requested. For the purposes of this section, adjacent shall also include parcels separated by a publicly dedicated right-of-way.
9. Application fee is:
 \$450 per Commercial Variance, or
 \$250 per Residential Variance, plus \$50 per additional variance



**APPLICATION FOR VARIANCE
TO THE CITY OF SMYRNA**

Type or Print Clearly

(To be completed by City)

Ward: _____

Application Number: _____

Variance Meeting Date: _____

APPLICANT: Andrew Louis Pepiot & Jason Bradley Phillips

Representative's Name (print): Sean Tintle - Agent

Address: 3439 Macland rd powder springs Ga 30127

Business Phone: _____ Cell Phone: 770-480-5352 Home Phone: _____

E-Mail Address: dpepiot@gmail.com

Signature of Representative: *Sean Tintle*

dotloop verified
09/23/21 11:00 AM EDT
EC6X-6PC6-QHYF-HY0H

TITLEHOLDER: Medhat Yassa

Address: 1875 Cedar Cliff Dr Se, Smyrna, GA, 30080

Business Phone: _____ Cell Phone: 770-701-4099 Home Phone: _____

Signature: *Medhat Yassa*

VARIANCE:

Present Zoning: GC Type of Variance: 1 - Gravel large portion of property.

2. Install 8 foot privacy fence within front setback.

Explain Intended Use: Property will be setup for a landscaping contractor.

Location: 1278 Davis Road, Smyrna, GA, 30080

Land Lot(s): 491 District: 17th Size of Tract: .473 Acres

(To be completed by City)

Received: _____

Legal Ad Posted: _____

Signs Posted: _____

Approved/Denied: _____

CONTIGUOUS ZONING

North: GC

East: R-15 - Fox Creek Golf Course

South: GC

West: GC

**NOTIFICATION OF CONTIGUOUS OCCUPANTS
OR LANDOWNERS**

By signature, it is hereby acknowledged that I have been notified that Notifications sent via registered mail.

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

2 variances - 8 foot fence within front lot line setback & gravel within the fenced area. Drawing attached.

on the premises described in the application.

NAME

ADDRESS

International Gospel Outreach Church

1101 Windy Hill Road, Smyrna, GA, 30080

Fox Creek Golf Course

1501 Windy Hill Road, Smyrna, GA, 30080

Please have adjacent property owners sign this form to acknowledge they are aware of your variance request. You may also provide certified mail receipts of notification letters sent to adjacent properties. Notification letters shall include a description of the requested variance, the License and Variance Board Meeting date and time, and a copy of the completed variance application. Adjacent and adjoining properties include any property abutting the subject property as well as any properties directly across a street.

ZONING ORDINANCE

SECTION 1403 VARIANCE REVIEW STANDARDS

In rendering its decisions, the License and Variance Board 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

1278 Davis Road is currently zoned general commercial with a residential CO. Buyers of the property have met with the city of Smyrna to prepare the property for a commercial CO. Buyers will be using the property to run a local landscaping business. The property is surrounded on 3 sides by a church parking lot. Across Davis Road from the property is a tree line overlooking Fox Creek Golf Course. The property is located on a dead end road and is the only accessible property on this street. The fence is going to be used for security of the building and equipment stored on the property.

Buyers are requesting 2 zoning variances in order to run their business. The existing structure is currently within the front setback for GC.

Variance 1 - Install an 8 foot fence around the property starting from the front corner of the structure on each side of the building running to the side lot line and across the rear lot line. There is currently a chain link fence surrounding the entire property.

Variance 2 - Install gravel throughout lot except for septic tank and field line area.

Drawing has been attached with approximate locations of fence and gravel.

License and Variance Board Meeting Dates 2021

Submittal Deadline: 03/22/2021 Submittal Deadline: 04/09/2021 Submittal Deadline: 04/23/2021
 Post Property: 03/29/2021 Post Property: 04/16/2021 Post Property: 04/30/2021
 Variance Hearing: 04/14/2021 at 10 am M&C Hearing: 05/03/2021 at 7 pm M&C Hearing: 05/17/2021 at 7 pm
 (Applicant Must Attend) (Applicant Must Attend) (Applicant Must Attend)

Submittal Deadline: 05/14/2021 Submittal Deadline: 05/28/2021 Submittal Deadline: 06/24/2021
 Post Property: 05/21/2021 Post Property: 06/04/2021 Post Property: 06/28/2021
 M&C Hearing: 06/07/2021 at 7 pm M&C Hearing: 06/21/2021 at 7 pm Variance Hearing: 07/14/2021 at 10 am
 (Applicant Must Attend) (Applicant Must Attend) (Applicant Must Attend)

Submittal Deadline: 07/08/2021 Submittal Deadline: 07/22/2021 Submittal Deadline: 08/05/2021
 Post Property: 07/12/2021 Post Property: 07/26/2021 Post Property: 08/09/2021
 Variance Hearing: 07/28/2021 at 10 am Variance Hearing: 08/11/2021 at 10 am Variance Hearing: 08/25/2021 at 10 am
 (Applicant Must Attend) (Applicant Must Attend) (Applicant Must Attend)

License and Variance Board Meeting Dates 2021

Submittal Deadline: 08/19/2021 Submittal Deadline: 09/02/2021 Submittal Deadline: 09/23/2021
Post Property: 08/23/2021 Post Property: 09/06/2021 Post Property: 09/27/2021
Variance Hearing: 09/08/2021 at 10 am Variance Hearing: 09/22/2021 at 10 am Variance Hearing: 10/13/2021 at 10 am
(Applicant Must Attend) (Applicant Must Attend) (Applicant Must Attend)

Submittal Deadline: 10/07/2021 Submittal Deadline: 10/21/2021 Submittal Deadline: N/A
Post Property: 10/11/2021 Post Property: 10/25/2021 Post Property: N/A
Variance Hearing: 10/27/2021 at 10 am Variance Hearing: 11/10/2021 at 10 am Variance Hearing: Holiday at 10 am
(Applicant Must Attend) (Applicant Must Attend) (Applicant Must Attend)

Submittal Deadline: 11/18/2021 Submittal Deadline: N/A
Post Property: 11/22/2021 Post Property: N/A
Variance Hearing: 12/08/2021 at 10 am Variance Hearing: N/A at 10 am
(Applicant Must Attend) (Applicant Must Attend)

Owner Information

YASSA MADHAT
1875 CEDAR CLIFF DR
SMYRNA, GA 30080

Payment Information

Status	Paid
Last Payment Date	10/13/2020
Amount Paid	\$2,147.41

Property Information

Parcel Number	17049100560
Acres	0.5
Assessed Value	\$78,116
Fair Market Value	\$195,290
Tax District	6 - City of Smyrna
Homestead Exemption	NONE

Bill Information

Record Type	Parcel
Bill Type	Original
Tax Year	2020
Due Date	10/15/2020

Taxes

Base Taxes	\$2,147.41
Penalty	\$0.00
Interest	\$0.00
Fees	\$0.00
Good Through	
Balance Due	\$0.00

Property Address

1278 DAVIS RD SE

Real Estate (Your House or Land)

[Return to view bill](#)

Payments/Adjustments

As of 9/23/2021

Bill Year	2020
Bill	18710

Activity	Posted	Entered	Reference #	Paid By/Reference	Amount
Payment	11/16/2020	11/16/2020	2066254	MEDHAT YASSA	\$702.26

[Return to view bill](#)

1795 6889 1000 0716 0207 7020 3160 4889 5617

For delivery information, visit our website at www.usps.com

Smyrna, GA 30080

Certified Mail Fee \$3.75
 \$47.05
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
 Postage \$0.78
 \$7.58
 Total Postage and Fees

0678
1050

Postmark
Here

09/23/2021

Sent To International Gospel Outreach Church
 Street and Apt. No., or PO Box No. 1101 Windy Hill Road
 City, State, ZIP+4* Smyrna, GA 30080

2292 6889 1000 0716 0207 7020 3160 4889 5617

For delivery information, visit our website at www.usps.com

Smyrna, GA 30080

Certified Mail Fee \$3.75
 \$47.05
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
 Postage \$0.78
 \$7.58
 Total Postage and Fees

0676
1050

Postmark
Here

09/23/2021

Sent To Fox Creek Golf Course
 Street and Apt. No., or PO Box No. 1501 Windy Hill Road
 City, State, ZIP+4* Smyrna, GA 30080



CONCORD SQUARE
 3315 S COBB DR SE STE 700
 SMYRNA, GA 30080-9997
 (800)275-8777

09/23/2021 10:31 AM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.78
Smyrna, GA 30080			
Weight: 0 lb 1.30 oz			
Estimated Delivery Date			
Mon 09/27/2021			
Certified Mail®			\$3.75
Tracking #:			
70203160000148892623			
Return Receipt			\$3.05
Tracking #:			
9590 9402 6716 1060 8760 35			
Total			\$7.58

First-Class Mail® Letter	1		\$0.78
Smyrna, GA 30080			
Weight: 0 lb 1.30 oz			
Estimated Delivery Date			
Mon 09/27/2021			
Certified Mail®			\$3.75
Tracking #:			
70203160000148895617			
Return Receipt			\$3.05
Tracking #:			
9590 9402 6716 1060 8760 42			
Total			\$7.58

Grand Total: \$15.16

Credit Card Remitted \$15.16
 Card Name: VISA
 Account #: XXXXXXXXXXXX0607
 Approval #: 066961
 Transaction #: 062
 AID: A0000000980840
 AL: US DEBIT
 PIN: Not Required

 experiencing unprecedented volume

