

Variance Application

VAR-24-66

Submitted On: Oct 10, 2024

Applicant

 Josh Oliver
 9182328961
@ joliver1216@gmail.com

Primary Location

2805 EASTFIELD RD SE
SMYRNA, GA 30080

Applicant Information

First Name

Joshua

Last Name

Oliver

Street Address

2805 Eastfield Rd SE

City

Symrna

State

GA

Zip Code

30080

Email

joliver1216@gmail.com

Phone Number

9182328961

Are you the titleholder of the subject property?

Yes

Property Information

Property Address

2805 Eastfield Rd SE Smyrna GA 30080

Description of Requested Variances

Stream buffer encroachment

Please check the box below if the requested variance(s) includes an increase in the maximum impervious surface area or an encroachment into a City stream buffer.

true

****If the request includes an increase in the maximum impervious surface area or an encroachment into a City stream buffer, a stormwater mitigation plan is REQUIRED prior to submittal of the variance application.****

Please contact City Engineer, Mark Wolff with any questions relating to the stormwater mitigation plan; 678-631-5546 or mwolff@smyrnaga.gov.

Comprehensive Narrative

In rendering its decisions, the License and Variance Board shall consider the following factors:

1. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
2. The locations of all streams on the property, including along property boundaries;
3. The location and extent of the proposed buffer or setback intrusion;

4. Whether alternative designs are possible which require less intrusion or no intrusion;

5. The long-term and construction water-quality impacts of the proposed variance;

6. Whether as a result of an exchange of buffer area the net buffer area is not reduced; and

7. Whether issuance of the variance is at least as protective of natural resources and the environment.

A comprehensive narrative detailing the extraordinary and exceptional conditions which will necessitate a nonconforming use.

Please see proposed impervious setback due to deck encroachment into stream buffer. Attached is an arial view of the proposal, along with a site survey done with the proposed setback.

Acknowledgement

Applicant further affirms they are aware that any knowingly false statement made in the permit application may subject said applicant to prosecution for violation of Georgia Criminal Code, Section 16-10-20 (False Swearing) and a possible fine of not more than \$1,000.00 or imprisonment for not less than one (1) nor more than five (5) years, or both.

Applicant Signature:

true

US Postal Service
CERTIFIED MAIL RECEIPT

123 Main St
New York, NY 10001

TO: Mr. J. M. Smith, 123 Main St, New York, NY 10001

FROM: Mr. J. M. Smith, 123 Main St, New York, NY 10001

POSTAGE: \$3.75

FEES: \$0.00

JUN 25 1998



Josh & Mary Kayla Oliver
2805 Eastfield Rd SE
Smyrna, GA 30080

October 10, 2024

Hello Neighbor,

This letter is to inform you that we are requesting a variance permit with the City of Smyrna due to the re-building of a structure within the restricted stream buffer area behind our home. One requirement of the permit application is to notify all adjacent and abutting properties, which includes your property. Your receipt of this variance application does not assume your approval, but rather is to inform you of the hearing on **November 13, 2024, at 10:00 AM**. If you have any questions, concerns, or objections, please feel free to attend this hearing.

Background:

In March of this year, two trees from a neighboring property fell and destroyed part of our home and our back deck. In the application process to rebuild our home and deck, it was realized that the deck was not initially permitted when built (by previous homeowner) and is within the restricted build area due to the small stream that runs behind our home.

Within this letter contains our application and drawings to submit to the City of Smyrna in which we propose to extend the stream buffer and impervious setback by the same area as the deck encroachment. This would allow us to rebuild the deck that was destroyed while adhering to all requirements of the City of Smyrna. There is no impact to your property in this request, nor should there be any negative impact to our neighborhood.

If you would like to reach out to me directly, please feel free to do so at 918-232-8961. We are anticipating moving back into our home by the end of October and look forward to rejoining our community.

Thank you,

Josh Oliver



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

Type or Print Clearly

APPLICANT: Joshua & Mary Kayla Oliver

Representative's Name (print): N/A

Address: 2805 Eastfield Rd SE Smyrna GA 30080

Business Phone: N/A Cell Phone: 918-232-8961 Home Phone: N/A

E-Mail Address: joliver1216@gmail.com

Signature of Representative: Josh Oliver

Digitally signed by Josh Oliver
Date: 2024.10.10 11:29:06 -04'00'

TITLEHOLDER: Joshua & Mary Kayla Oliver

Address: 2805 Eastfield Rd SE Smyrna GA 30080

Business Phone: N/A Cell Phone: 918-232-8961 Home Phone: N/A

Signature: Josh Oliver

Digitally signed by Josh Oliver
Date: 2024.10.10 11:29:43 -04'00'

VARIANCE:

Present Zoning: R-15 Type of Variance: Stream buffer encroachment

Explain Intended Use: Proposed impervious setback due to deck encroachment into stream buffer.

Location: 2805 Eastfield Rd SE Smyrna GA 30080

Land Lot(s): 0416 District: 17 Size of Tract: 0.22 Acres

CONTIGUOUS ZONING

North: R-15

East: R-15

South: R-15

West: R-15

ZONING ORDINANCE
SECTION 1403 VARIANCE REVIEW STANDARDS

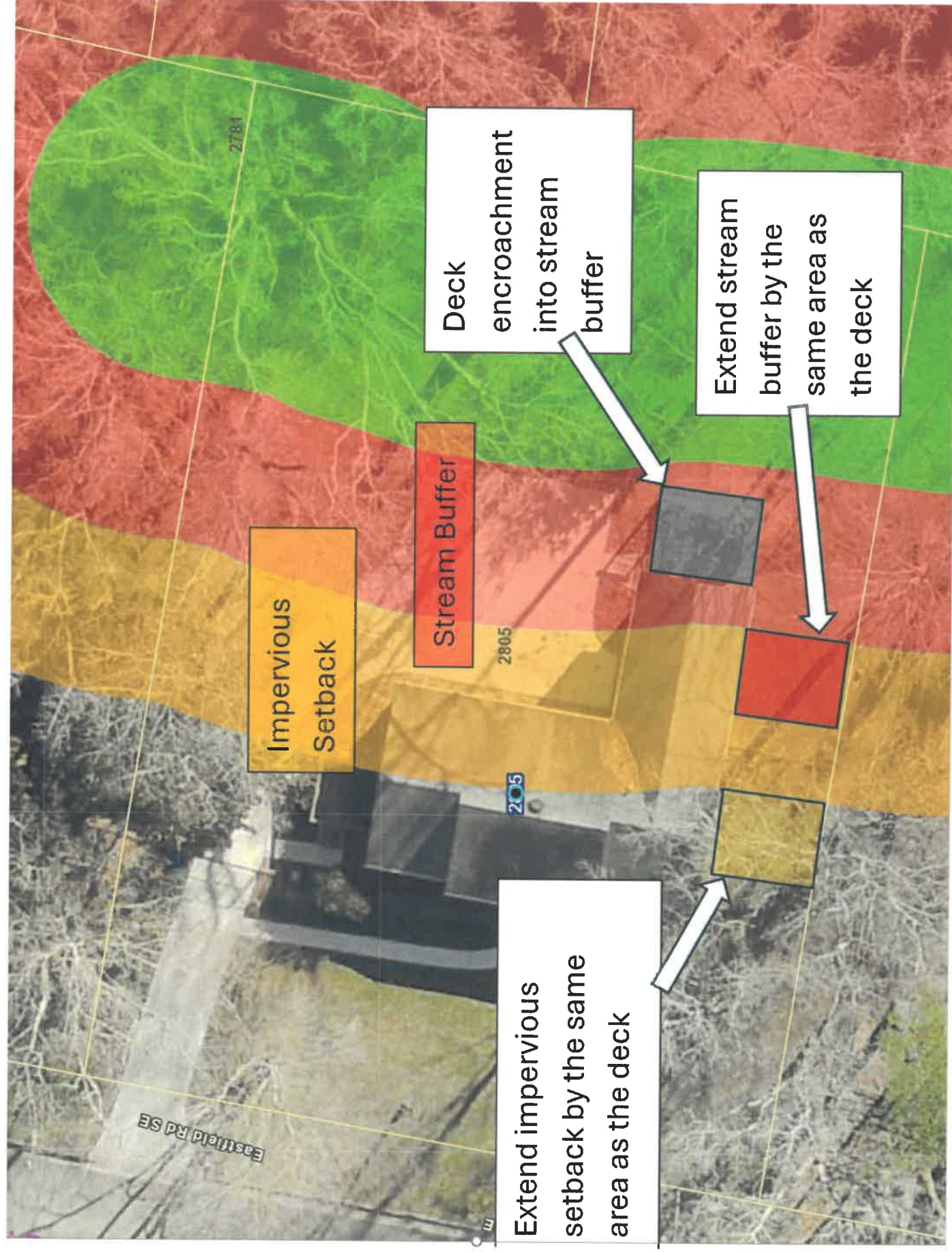
In rendering its decisions, the License and Variance Board shall consider the following factors:

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

Our mitigation plan is to revise the buffer and setback limits of our property. Attached is a survey
the proposed changes to the buffer and setback. The proposed mitigation for the encroachment into
the 50 foot undisturbed buffer area is the re-delineation of the buffer and impervious setback limits
to the property. This was discussed with Mark Wolff, City Engineer, which he determined was an
applicable and satisfactory mitigation.



Munis Self Service

Real Estate (Your House or Land)

[Return to view bill](#)

Payments/Adjustments

As of 10/9/2024

Bill Year	2023			
Bill	12901			
Activity	Posted	Entered	Reference #	Paid By/Reference
GI Account Update	7/1/2024	7/1/2024	44766	
GI Account Update	7/1/2024	7/1/2024	26519	
Adjustment	11/20/2023	11/20/2023	293735	
Payment	10/24/2023	10/25/2023	3253909	CORELOGIC
Abatement	9/17/2023	9/18/2023	4322	
				\$1,725.86
				(\$161.82)

[Return to view bill](#)

© 2024 Tyler Technologies, Inc.



CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

OLIVER JOSHUA LEE & BROOKS MARY
KAYLA

Payer:
DOVENMUEHLE MORTGAGE INC

Printed: 10/9/2024

Cobb County Online Tax Receipt

Thank you for your payment!

Payment Date: 10/11/2023

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2023	17041600820	10/15/2023	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid
\$0.00	\$0.00	\$0.00	\$0.00	\$4,101.51
				Balance
				\$0.00



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

CHENEY WOODS SUB.

17th DIST 240 SECT
 CITY OF SMYRNA
 COOK COUNTY, GA
 HALLS & BOUNDING LINES
 AUGUST 1894 3000 1000
 DEED NO 51294-1000
 PL 21 P 215 COOK COUNTY RECORDS
 APPROVED THIS 26th DAY OF
 SMYRNA LAND CO BY

APPROVED THIS 11th day of April 1934
By Wm. H. H. H. H.
Chairman of Planning Comm. - S. 1000



An aerial photograph of a city street intersection. The street names 'BUSINESS' and 'RESERVED' are clearly visible on the pavement, oriented vertically. The intersection is marked with white lines, and the surrounding area appears to be a commercial district.

SOUTH