

Variance Application

VAR-24-4

Submitted On: Jan 8, 2024

Applicant

 Joel Powell
 4048679549
@ joel@fairbanks-services.com

Primary Location

1181 BANK ST SE
SMYRNA, GA 30080

Applicant Information

First Name

Joel

Last Name

Powell

Street Address

2900 Alexander St SE

City

Smyrna

State

Georgia

Zip Code

30080

Email

Joel@fairbanks-services.com

Phone Number

404-867-9549

Are you the titleholder of the subject property?

No

Titleholder Information

Full Name (i.e., First and Last Name, or Name of Entity)

Brad and Jennifer Cottrill

Street Address

1181 Bank St

City

Smyrna

State

Georgia

Zip Code

30080

Email Address

bicnole@gmail.com

Phone Number

4042909502

Property Information

Property Address

1181 Bank St Smyrna, GA 30080

Description of Requested Variances

Impervious Surface Variance and Non-Conforming Lot Variance.

Comprehensive Narrative

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.

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

When Brad and Jennifer embarked on the search for a suitable location to construct their new residence in Smyrna, they conducted a thorough survey of the surrounding area. Notable among the observed properties was the imposing residence at 1159 Bank Street, characterized by its three-car garage and commanding 2.5-story stone architecture and the home at 1171 Bank Street with its three car garage and finished basement. A drive-by assessment revealed several other substantial homes on the adjacent street, leading the Cottrills to believe that they could build a larger home to meet their family's growing requirements. In 2022, the Cottrills acquired the property at 1181 Bank Street with the intention of demolishing the existing structure and erecting a more spacious, contemporary dwelling.

Regrettably, the Cottrills, lacking expertise in zoning matters, neglected to engage a professional to scrutinize the city's zoning code for potential challenges before making their purchase. Their assumption, based on visual observations during the neighborhood drive, failed to consider the nuanced implications of R15 zoning, such as the maximum impervious cover in relation to lot size and the challenges associated with existing homes on non-conforming lots. Despite its outward resemblance to neighboring properties, 1181 Bank Street is notably 50 feet shallower than adjacent lots to the west, rendering the 35% maximum impervious cover more restrictive on this particular parcel when you consider constructing a larger more accommodating home.

Unaware of these intricacies, the Cottrills engaged an architect to design a custom home plan tailored to accommodate their family's growth and the eventual needs of aging family members. The plan includes a main-floor suite to facilitate prolonged residence, a three-car garage for storage purposes, and a three-season screened porch. While the first-floor plan mirrors the size of other homes on the street, the total footprint area of the home is 3,966 square feet.

Under R15 zoning, the permissible impervious cover on the 14,870 square feet lot is capped at 35%, allowing for 5,204.5 square feet. Deducting the footprint of the home leaves 1,238.5 square feet for driveways and other impervious additions. The Cottrills, desiring a swimming pool, acknowledge that this addition would exceed the allowed 35%. To address this challenge, the Cottrills engaged Landscape Architect Sean Murphy to design a pool with the smallest possible footprint, limiting the pool deck to two sides and constraining the size to meet the needs of 6-8 people. Despite these efforts, the total impervious cover is calculated at 45%, exceeding the R15 zoning limit but aligning with allowances in other zoning categories for smaller lots in the neighborhood.

The Cottrills respectfully request the variance board to consider the precedents set by prior approvals for swimming pools and decks that slightly surpassed the maximum impervious cover. While refraining from formally requesting a list of approvals, the Cottrills are cognizant of instances, such as 2656 Parks Edge Drive, where similar variances were granted in recent years under the same ordinances. Strict adherence to the zoning code, without approval of this application, could be perceived as impeding the Cottrills from reasonable land use and result in an unequal application of the zoning code, given the similarity to previously approved requests under identical ordinances in recent years.

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



PROPERTY OWNER AUTHORIZATION

City of Smyrna Community Development Department, 3180 Atlanta Rd, Smyrna, GA 30080
Office Phone 678-631-5387 / Fax 770-431-2808

I, Bradford L Cottrill, swear that I am the Property Owner of the property located at 1181 Bank St Smyrna, GA 30080, as shown in the records of Cobb County, Georgia, which is the subject property of the attached application.

I authorize the business named below to act as the Contractor of Record in pursuit of this permit.

Contractor Business Name (print clearly): FairBanks Construction Services LLC

Business Contact Person: Joel Powell

Business Address: 2900 Alexander St SE Smyrna, GA 30080

Contact Telephone: 678-305-0444

Contact Email: joel@fairbanks-services.com

I have read, understood, and answered the aforementioned items to the best of my knowledge. If I am found to have misrepresented myself on this affidavit or the attached application, I am aware I may be in violation of the City Code and run the risk of being issued a citation for violation of the City of Smyrna Code of Ordinances.

(Must be signed by the property owner. If the landowner is a corporation, the form must be signed by an officer of the corporation.)

Signature of Property Owner

1181 Bank St

Address

Bradford L Cottrill

Name of Property Owner (print clearly)

Smyrna, GA 30080

City, State, Zip

Comprehensive Narrative – 1181 Bank Street Variance Application.

When Brad and Jennifer embarked on the search for a suitable location to construct their new residence in Smyrna, they conducted a thorough survey of the surrounding area. Notable among the observed properties was the imposing residence at 1159 Bank Street, characterized by its three-car garage and commanding 2.5-story stone architecture and the home at 1171 Bank Street with its three car garage and finished basement. A drive-by assessment revealed several other substantial homes on the adjacent street, leading the Cottrills to believe that they could build a larger home to meet their family's growing requirements. In 2022, the Cottrills acquired the property at 1181 Bank Street with the intention of demolishing the existing structure and erecting a more spacious, contemporary dwelling.

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9589 0710 5270 1614 9948 12

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

Smyrna, GA 30080

Certified Mail Fee	\$4.35	0675
Extra Services & Fees (check box, add fee as appropriate)	\$3.55	55
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.66	
Total Postage and Fees	\$8.56	

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01/08/2024

Sent To Joan Stuart
 Street and Apt. No., or PO Box No. 1191 Bank St
 City, State, ZIP+4® Smyrna, GA 30080

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Postage	\$0.66	
Total Postage and Fees	\$8.56	

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01/08/2024

Sent To Helen B Hanson
 Street and Apt. No., or PO Box No. 1166 Bank St
 City, State, ZIP+4® Smyrna, GA 30080

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.66	
Total Postage and Fees	\$8.56	

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01/08/2024

Sent To Melanie Vonborstel
 Street and Apt. No., or PO Box No. 1176 Bank St SE
 City, State, ZIP+4® Smyrna, GA 30080

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.66	
Total Postage and Fees	\$8.56	

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01/08/2024

Sent To Marc & Amy Mclean
 Street and Apt. No., or PO Box No. 1171 Bank St SE
 City, State, ZIP+4® Smyrna, GA 30080

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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.66	
Total Postage and Fees	\$8.56	

Postmark Here

01/08/2024

Sent To Felicia J Jones
 Street and Apt. No., or PO Box No. 2796 Hamby St SE
 City, State, ZIP+4® Smyrna, GA 30080

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1181 Bank



SMYRNA
850 WINDY HILL RD SE
SMYRNA, GA 30080-1910
(800)275-8777

01/08/2024 02:46 PM

Product	Qty	Unit Price	Price
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First-Class Mail® Letter	1		\$0.66
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Smyrna, GA 30080
Weight: 0 lb 0.90 oz
Estimated Delivery Date
Wed 01/10/2024

Certified Mail® \$4.35
Tracking #:

9589 0710 5270 1614 9948 12

Return Receipt \$3.55
Tracking #:

9590 9402 8417 3156 0535 86

Total \$8.56

First-Class Mail® Letter	1		\$0.66
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Smyrna, GA 30080
Weight: 0 lb 0.90 oz
Estimated Delivery Date
Wed 01/10/2024

Certified Mail® \$4.35
Tracking #:

9589 0710 5270 1614 9947 82

Return Receipt \$3.55
Tracking #:

9590 9402 8417 3156 0535 62

Total \$8.56

First-Class Mail® Letter	1		\$0.66
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Smyrna, GA 30080
Weight: 0 lb 0.90 oz
Estimated Delivery Date
Wed 01/10/2024

Certified Mail® \$4.35
Tracking #:

9589 0710 5270 1614 9948 05

Return Receipt \$3.55
Tracking #:

9590 9402 8417 3156 0535 79

Total \$8.56

First-Class Mail® Letter	1		\$0.66
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Smyrna, GA 30080
Weight: 0 lb 0.90 oz
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Wed 01/10/2024

Certified Mail® \$4.35
Tracking #:

9589 0710 5270 1614 9947 99

Return Receipt \$3.55
Tracking #:

9590 9402 8417 3156 0535 55

Total \$8.56

First-Class Mail® 1 \$0.00
Letter
Smyrna, GA 30080
Weight: 0 lb 0.90 oz
Estimated Delivery Date
Wed 01/10/2024
Certified Mail® \$4.35
Tracking #: 9589 0710 5270 1614 9947 75
Return Receipt \$3.55
Tracking #: 9590 9402 8417 3156 0535 48
Total \$8.56

Grand Total: \$42.80

Credit Card Remit \$42.80
Card Name: VISA
Account #: XXXXXXXXXXXX5689
Approval #: 09546G
Transaction #: 980
AID: A0000000031010 Chip
AL: VISA CREDIT
PIN: Not Required CHASE VISA

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1-800-222-1811.

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UFN: 128019-0675
Receipt #: 840-53000027-2-6867044-2
Clerk: 55



APPLICATION FOR VARIANCE TO THE CITY OF SMYRNA

Type or Print Clearly

APPLICANT: FairBanks Construction Services, LLC
Representative's Name (print): Joel Powell
Address: 2900 Alexander St SE Smyrna, GA 30080
Business Phone: 678-305-0444 Cell Phone: 404-867-9549 Home Phone:
E-Mail Address: Joel@FairBanks-Services.com
Signature of Representative: [Signature]

TITLEHOLDER: Jennifer & Brad Cottrill
Address: 1181 Bank St Smyrna, GA 30080
Business Phone: Cell Phone: 678-492-5101 Home Phone:
Signature: [Signature]

VARIANCE:
Present Zoning: R-15 Type of Variance: Single-Family Residential

Explain Intended Use: to preserve and protect existing development, and to encourage similar and complementary type residential development together with associated recreational, religious and educational facilities.

Location: 1181 Bank St Smyrna, GA 30080
Land Lot(s): 488 District: 17th Size of Tract: 0.3 Acres

CONTIGUOUS ZONING

North: RAD Single-Family Attached/Detached
East: R-15 Single-Family Residential
South: R-15 Single-Family Residential
West: RAD Single-Family Attached/Detached

Parcel Find

PARCEL: 17-0488-0-0540
 LOCATION: 1181 BANK ST
 NAME: ** VARIOUS **

EFF DATE: 01/08/2024

YEAR	CAT	BILL	#SC	REFERENCE	BILLED/ADJ	UNPAID BAL	DUE NOW
2023	RE-R	3844	N	1181 BANK ST	1,266.33	0.00	0.00
2022	RE-R	3751	N	1181 BANK ST	1,069.27	0.00	0.00
2021	RE-R	10661	N	1181 BANK ST	1,005.55	0.00	0.00
2020	RE-R	10534	N	1181 BANK ST	857.83	0.00	0.00
2019	RE-R	10489	N	1181 BANK ST	812.52	0.00	0.00
2018	RE-R	10445	N	1181 BANK ST	758.25	0.00	0.00
2017	RE-R	10431	N	1181 BANK ST	682.74	0.00	0.00
2016	RE-R	10175	N	1181 BANK ST	622.32	0.00	0.00
2015	RE-R	10089	N	1181 BANK ST	522.64	0.00	0.00
2014	RE-R	10003	N	1181 BANK ST	493.87	0.00	0.00
2013	RE-R	9841	N	1181 BANK ST	463.67	0.00	0.00
2012	RE-R	1148711	N	1181 BANK ST	463.67	0.00	0.00
2011	RE-R	1131142	N	1181 BANK ST	531.88	0.00	0.00
2010	RE-R	1113678	N	1181 BANK ST	531.88	0.00	0.00
2009	RE-R	1096278	N	1181 BANK ST	531.88	0.00	0.00
2008	RE-R	1078805	N	1181 BANK ST	459.96	0.00	0.00
2007	RE-R	1061409	N	1181 BANK ST	459.96	0.00	0.00
2006	RE-R	1060914	N	1181 BANK ST	469.17	0.00	0.00
2005	RE-R	1044334	N	1181 BANK ST	489.64	0.00	0.00
2004	RE-R	1028514	N	1181 BANK ST	409.35	0.00	0.00
2003	RE-R	1012933	N	1181 BANK ST	411.47	0.00	0.00
TOTAL DUE NOW						0.00	0.00
TOTAL UNPAID						0.00	0.00

** END OF REPORT - Generated by Mike Hickenbottom **



Printed: 1/8/2024

Cobb County Online Tax Receipt

Thank you for your payment!

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

Payer:
 BRADFORD L COTTRILL

COTTRILL BRAD & JENNIFER

Payment Date: 9/29/2023

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2023	17048800540	10/15/2023	Pay:	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$3,698.87	\$0.00



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