

**Variance Application**

**Applicant**

**Primary Location**

**VAR-24-5**

 Bob Ward  
 6786432518  
 sales@barefootdecks.net

4561 DERBY LN SE  
SMYRNA, GA 30082

Submitted On: Jan 11, 2024

**Applicant Information**

**First Name**

David

**Last Name**

Balzer

**Street Address**

1220 Kennestone Circle Suite 104

**City**

Marietta

**State**

Georgia

**Zip Code**

30066

**Email**

david@barefootdecks.net

**Phone Number**

6786431662

**Are you the titleholder of the subject property?**

No

**Titleholder Information**

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

Chris Hein

**Street Address**

4561 Derby Ln

**City**

Smyrna

**State**

Georgia

**Zip Code**

30082

**Email Address**

chris.ashleigh.house@gmail.com

**Phone Number**

(470)357-5638

**Property Information**

**Property Address**

4561 Derby Ln Smyrna Ga 30082

**Description of Requested Variances**

encroachment of 75ft steam buffer by 14ft to replace deck (same size as existing)

**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.**

Original deck was built, most likely before the 75ft stream buffer existed, and is now aged, unsafe, and in need of replacemenmt. Replacing deck with a deck of the same dimensions. Moving lower section of stairs slightly to occomadate new deck codes and to land at a safer more level area. Existing stairs fully in stream buffer as they are. Almost the entire existing deck lies within the stream buffer. Would not be able to build any size deck to exit back doors of home without encroaching on the stream buffer. Back doors approx 6ft and 9ft from ground level. Current homeowner purchased the home with deck as is in 2020. Deck appears to be at least 20 years old.

**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, Christopher Hein, swear that I am the Property Owner of the property

located at: 4561 Derby Ln SE, Smyrna, GA 30082

as shown in the records of Cobb County, Georgia, which is the subject matter of the attached application.

I authorize the person named below to act as the applicant in pursuit of this application.

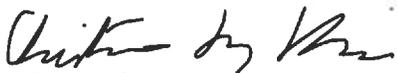
Name of Applicant (print clearly): Christopher Hein

Address: 4561 Derby Ln SE, Smyrna, GA 30082

Telephone: 470-457-5638 Email: chris.ashleigh.house@gmail.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

4561 Derby Ln SE  
Address

Christopher Hein  
Name of Property Owner (print clearly)

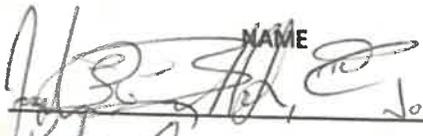
Smyrna, GA, 30082  
City, State, Zip

**NOTIFICATION OF CONTIGUOUS OCCUPANTS  
OR LANDOWNERS**

By signature, it is hereby acknowledged that I have been notified by Chris Hein at 4561 Derby Ln Smyrna

Intends to make an application for a variance for the purpose of \_\_\_\_\_  
Encroaching 75ft stream buffer by 14ft to replace existing deck with deck of the same size

\_\_\_\_\_ on the premises described in the application.

NAME	ADDRESS
	4551 Derby Ln. Smyrna, GA 30082
Katie Cowan	4530 Derby Ln. Smyrna, GA 30082
Melissa Alliland	4571 Derby Ln Smyrna 30082
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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.

3:15

5G 60



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Smyrna, GA 30082

**OFFICIAL USE**

Certified Mail Fee	\$4.35	0676 1050 Postmark Here  01/12/2024
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.66	
<b>Total Postage and Fees</b>	<b>\$5.01</b>	

Sent To

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 4390 Nowlin Dr.  
 City, State, ZIP+4®  
 Smyrna GA 30082

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



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**As of** 1/9/2024

**Bill Year** 2023

**Bill** 7427

**Owner** HEIN CHRISTOPHER &

**Parcel ID** 17038800440

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits
1	11/15/2023	\$1,431.57	\$1,431.57
<b>TOTAL</b>		<b>\$1,431.57</b>	<b>\$1,431.57</b>

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Printed: 1/9/2024

# 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:  
PENNYMAC

**HEIN CHRISTOPHER &  
WEEKLEY ELIZABETH**

**Payment Date: 10/12/2023**

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2023	17038800440	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	\$4,198.07	\$0.00



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

