

<b>Variance Application</b>  <b>VAR-24-11</b>  Submitted On: Feb 3, 2024	<b>Applicant</b>  James Lamar Lea 404-626-8303 @ lamar@decksouth.com	<b>Primary Location</b>  1362 WYNBROOK TRCE SE SMYRNA, GA 30126
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**Applicant Information**

<b>First Name</b> James Lamar	<b>Last Name</b> Lea
<b>Street Address</b> 1465 Field Park Circle	<b>City</b> Marietta
<b>State</b> GA	<b>Zip Code</b> 30066
<b>Email</b> lamar@decksouth.com	<b>Phone Number</b> 404-626-8303
<b>Are you the titleholder of the subject property?</b> No	

**Titleholder Information**

<b>Full Name (i.e., First and Last Name, or Name of Entity)</b> Lecrae Moore	<b>Street Address</b> 1362 Wynbrook Trace
<b>City</b> Mableton	<b>State</b> Ga
<b>Zip Code</b> 30126	<b>Email Address</b> leemoore303@gmail.com
<b>Phone Number</b> 470-371-7054	

**Property Information**

<b>Property Address</b> 1362 Wynbrook Trace
<b>Description of Requested Variances</b> Will be building a pool/patio that will encroach into the 75' stream buffer

**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.**

Homeowner was unaware of the 75' stream buffer assigned to his property as it does not appear on the plat provided to him at time of closing of the property. The homeowner would like to have the same benefit as his neighbors on his street that enjoy the features of a pool in the back yard. Lot # 648 ( subject of this variance application), is approximately 28% smaller than the average size of the other 15 lots on this street (27,455 sf vs 20003 sf). Additionally it is smaller by 1492 sf than the next largest lot in the 15. Homeowner did not contribute to this inequity in any way. Is a result of the original zoning.

If relief is not granted for this homeowner, he would not be able to enjoy the same outdoor amenities as his neighbors.

The proposed pool/patio project would encompass 1478 sf, of which 1104 sf would encroach into the buffer. There would not be enough usable space to accomplish the build and not encroach into the buffer.

## 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, Lecrae Moore, swear that I am the Property Owner of the property located at 1362 Wynbrook Trace, Mableton, GA 30126 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): Decksouth, Inc.

Business Contact Person: James Lamar Lea

Business Address: 1465 Field Park Cir., Bldg. 100, Marietta, GA 30066

Contact Telephone: 404-626-8303

Contact Email: lamar@decksouth.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

1362 Wynbrook Trace

Address

Lecrae Moore

Name of Property Owner (print clearly)

Mableton, GA 30126

City, State, Zip

**NOTIFICATION OF CONTIGUOUS OCCUPANTS  
OR LANDOWNERS**

By signature, it is hereby acknowledged that I have been notified that

LEONARD MORRIS

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

BUILDING A NEW

POOL + PATIO

on the premises described in the application.

**NAME**

**ADDRESS**

~~James H. Clark~~ Lillian H. Clark

~~1359 WYNBROOK TRACE~~

~~Sharon Johnson~~ John Sharon Johnson

~~1364 WYNBROOK TRACE~~

~~James H. Clark~~ Lillian H. Clark

~~1360 WYNBROOK TRACE~~

Chris and Rebel Sullay

1359 Wynbrook Trace

**MAIL**

WHITEFIELD ACADEMY

1 WHITEFIELD DR  
MABLETON, GA 30126

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



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POSTAL SERVICE**

**Certificate Of  
Mailing**

To pay fee, affix stamps or  
meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing  
This form may be used for domestic and international mail

From: DECK SOUTH  
1465 FIELD PARK CIR BLDG 100  
MARIETTA, GA 30066

To: WHITEFIELD ACADEMY  
1 WHITEFIELD DR  
MABLETON, GA 30126



3:42



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## Real Estate (Your House or Land)

[View Bill](#)

[View bill image](#)

As of

2/3/2024

Bill Year

2023

Bill

6516

Owner

GORDON MOTON NICOLE

Parcel ID

17054300260

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits
1	11/15/2023	\$4,944.18	\$4,944.18
<b>TOTAL</b>		\$4,944.18	\$4,944.18



## Real Estate (Your House or Land)

[Return to view bill](#)

### Payments/Adjustments

As of 2/1/2024

Bill Year

2023

Bill

6516

Activity	Posted	Entered	Reference #	Paid By/Reference	Amount
Adjustment	11/20/2023	11/20/2023	298049		\$0.00
Payment	10/24/2023	10/25/2023	3251970	CORELOGIC	\$4,944.18

[Return to view bill](#)



Printed: 2/1/2024

## 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:  
CENTRAL LOAN ADMINISTRATION

**GORDON MOTON NICOLE**

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

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2023	17054300260	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	\$14,810.13	\$0.00	



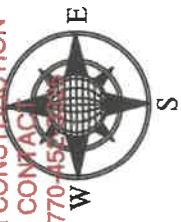
Scan this code with your  
mobile phone to view this  
bill!





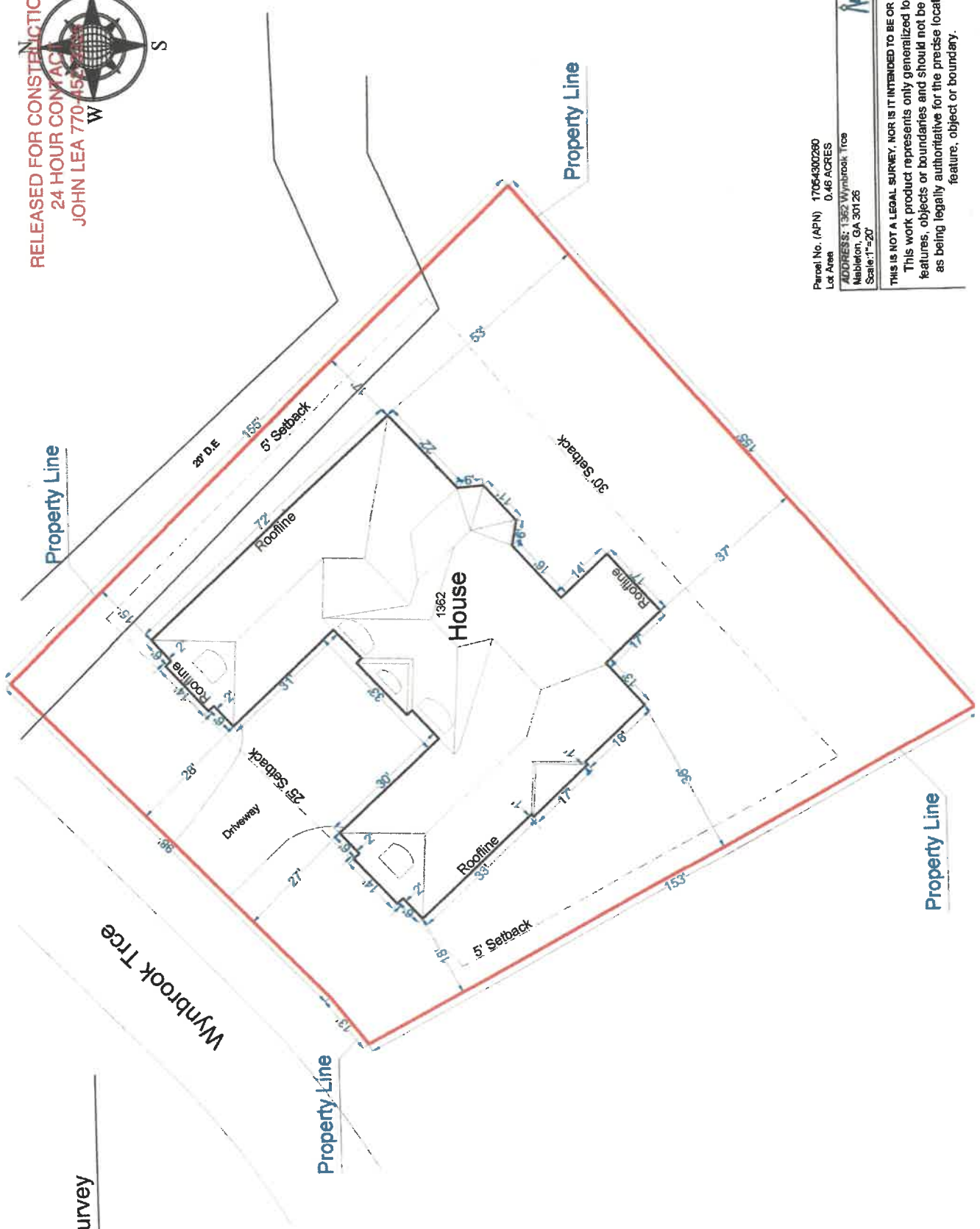
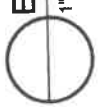


RELEASED FOR CONSTRUCTION  
24 HOUR CONTACT  
JOHN LEA 770-452-2244



Existing Survey

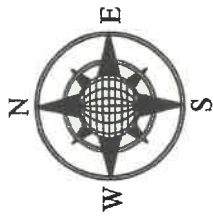
1" = 20'



Parcel No. (APN) 17054300280  
Lot Area 0.46 ACRES  
ADDRESS: 1362 Wynbrook Tree  
Mableton, GA 30126  
Scale: 1"=20'



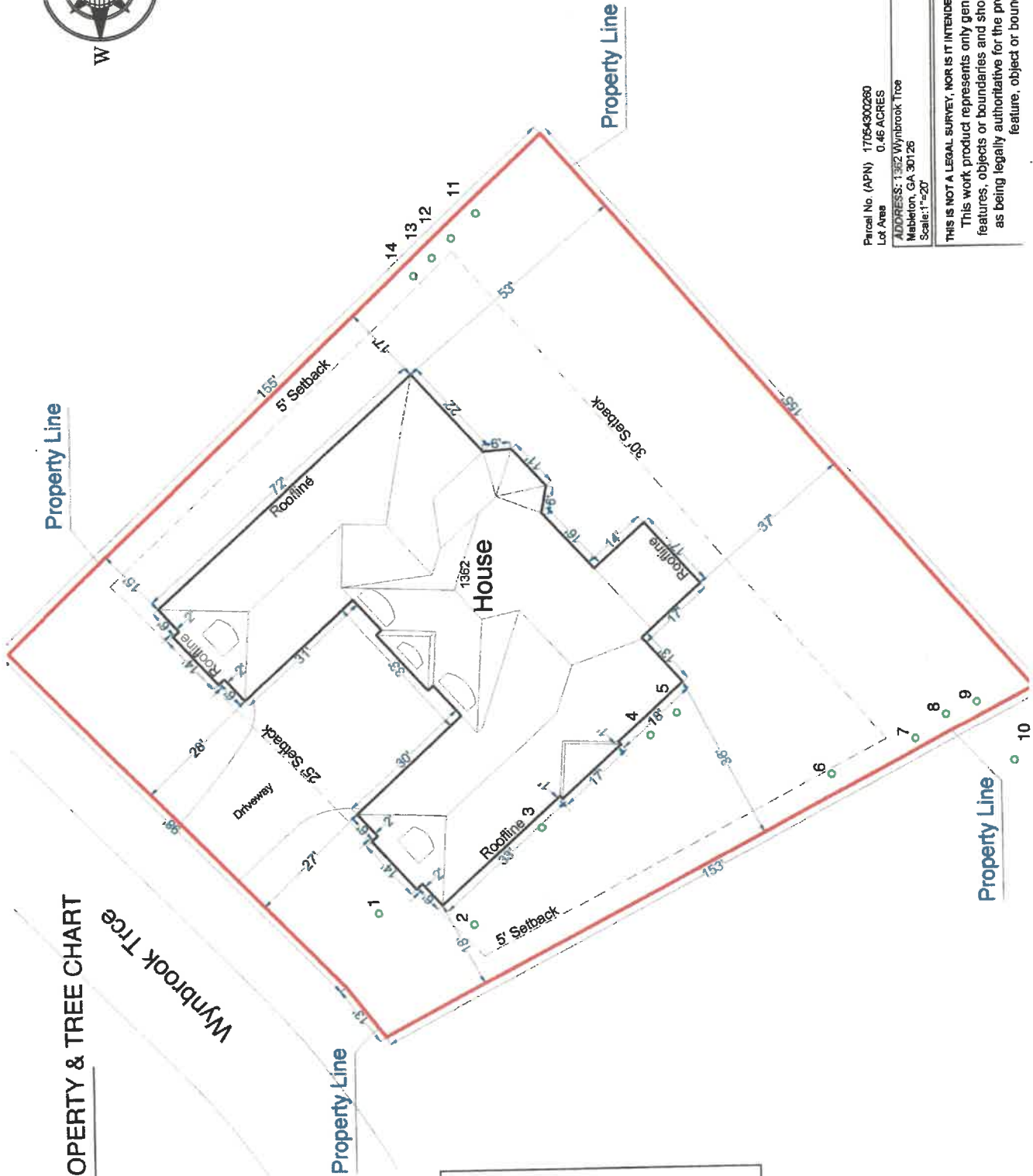
THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE OF  
This work product represents only generalized locations of  
features, objects or boundaries and should not be relied upon  
as being legally authoritative for the precise location of any  
feature, object or boundary.



# TREES ON PROPERTY & TREE CHART



1" = 20'



## TREE CHART

1.	10"	HOLLY
2.	6"	HOLLY
3.	6"	HOLLY
4.	7"	LEYLAND CYPRESS
5.	7"	LEYLAND CYPRESS
6.	8"	LEYLAND CYPRESS
7.	8"	LEYLAND CYPRESS
8.	8"	LEYLAND CYPRESS
9.	8"	LEYLAND CYPRESS
10.	16"	H/W
11.	8"	LEYLAND CYPRESS
12.	8"	LEYLAND CYPRESS
13.	8"	LEYLAND CYPRESS
14.	8"	LEYLAND CYPRESS

Parcel No (APN) 17054300260  
Lot Area 0.46 ACRES

ADDRESS: 1362 Wynbrook Trce  
Mableton, GA 30126  
Scale: 1" = 20'



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PENDING W/ 75' BUFFER VARIANCE REQUEST

