



Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Phone: 770-794-5440

APPLICATION FOR VARIANCE OR APPEAL

(Owner/Applicant/or Representative must be present at all public hearings)

(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application #: V2020-28 Legistar #: 2020 0632 BZA Hearing Dt: 8-31-20
City Council Hearing Dt (if applicable) #: PZ #: 20-217

This is a variance/appeal application for:



Board of Zoning Appeals



City Council

Owner's Name Rachel Barry and Philip Myrick
EMAIL Address: rachelbarry18@gmail.com
Mailing Address 126 Stewart Ave Marietta Zip Code: 30064 Phone Number 404-308-5867

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant:
EMAIL Address:
Mailing Address Zip Code: Phone Number

Address of subject property: 126 Stewart Ave Marietta, 30064 Date of Acquisition: 09/2015
Land Lot (s) 16 District 1147 Parcel 120170 Acreage .296 Zoned R4 Ward 4A FLU:MDR

List the variance(s) or appeal requested (please attach any additional information):
Request to Reduce Awtry Street Setback from 25 ft to 15 ft
Request to Reduce Neighboring setback from 10 ft to 6 ft

Required Information

- 1. Application fee (\$250)
2. Completed notarized application. The original application must be submitted with ALL original signature(s) - Copies of the application or signature(s) will NOT be accepted.
3. Copy of the deed that reflects the current owner(s) of the property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. Site plan - drawn to scale. Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s).
Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale.
Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 5 copies REQUIRED.
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER

**CAMPAIGN CONTRIBUTIONS**

The Owner and Applicant herein certify that he/she  has  has not made campaign contributions or gifts aggregating \$250.00 or more to the Mayor, any member of Council or any member of the Board of Zoning Appeals within the two (2) years preceding the filing of this application.

[Signature]  
Signature of Owner  
Rachel Barry  
Print Name

[Signature] [Signature]  
Signature of Applicant  
Rachel Barry Philip Myrick  
Print Name

**FINANCIAL INTEREST**

The Applicant herein certifies that he/she  has  has not a financial interest in the property which is ten percent (10%) or more.

Rachel Barry  
Print Name  
Philip Myrick

[Signature]  
Signature of Applicant  
[Signature]

**APPLICANT CERTIFICATION**

- The Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.

[Signature]  
Signature of Applicant  
Rachel Barry  
Please Print

July 20, 2020  
Date  
[Signature]  
Philip Myrick

**OWNER CERTIFICATION**

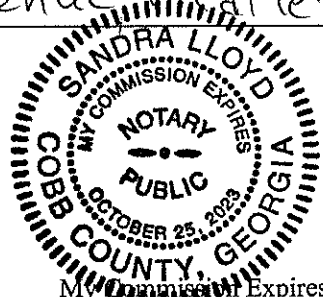
- The Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Owners's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner hereby gives permission to enter on the property for inspection during the time application is pending.

[Signature] [Signature]  
Signature of Owner Please Print  
Rachel Barry Philip Myrick  
126 Stewart Avenue Marietta, GA 30064  
Address

July 20, 2020  
Date

Signed, sealed and delivered in the presence of:

[Signature]



My Commission Expires: 10/25/2023

Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

July 20, 2020

To whom it may concern,

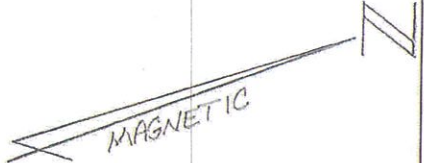
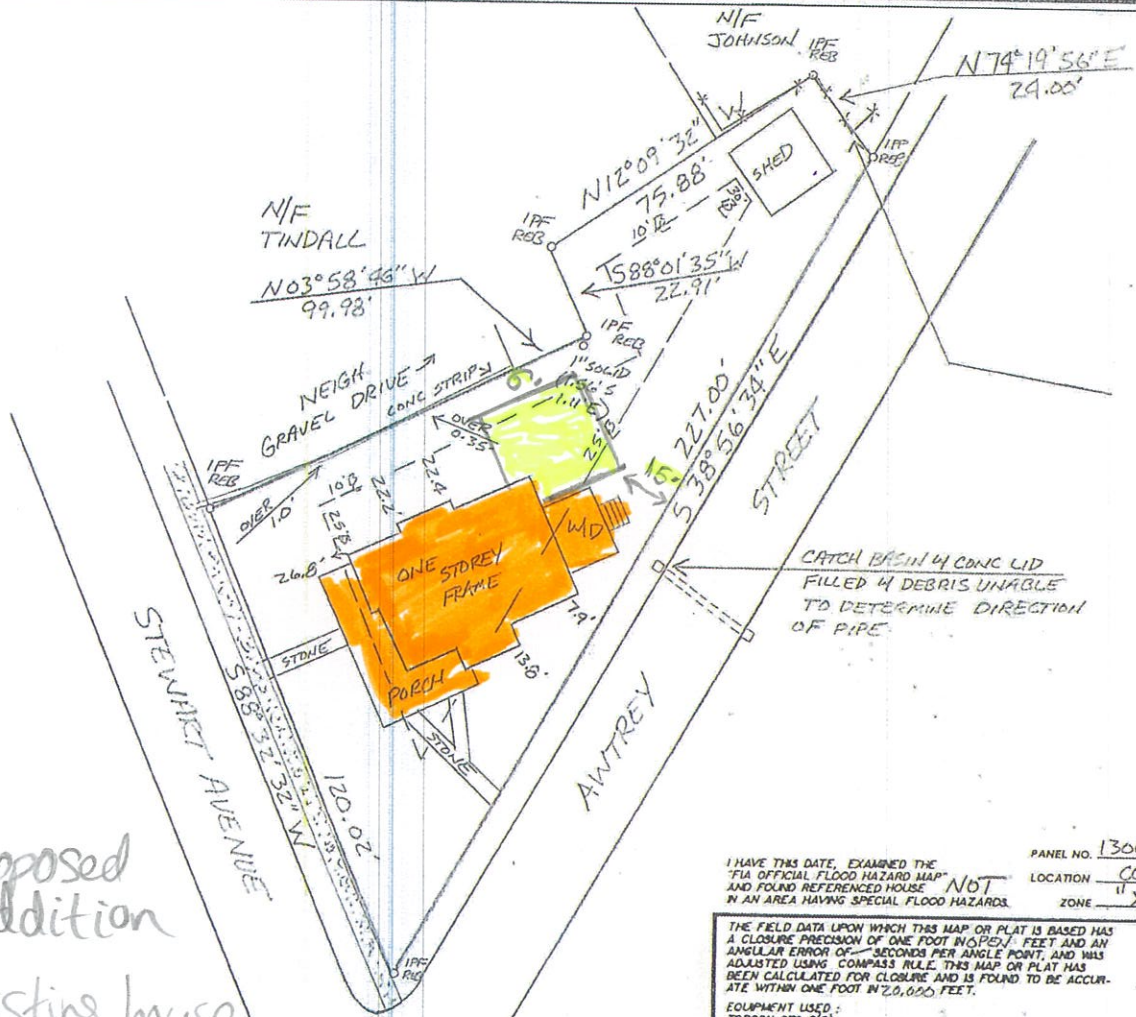
This letter is in request of a variance for our property at 126 Stewart Avenue, Marietta, Georgia 30064. We are planning to build a one-story master addition on the back of our house. Our house is currently a 2/2 with approximately 1480 square feet, and we need a little extra space because we are expecting our second child in January!

We are currently in the process of working with Designer, Dan Olah, to create an aesthetically-pleasing design that will match the historic craftsman style, as well as compensate for our irregularly-shaped lot line. In order to accomplish this, we are requesting a variance to reduce the side yard Awtrey Street setback from 25 feet to 15 feet and a variance to reduce the side yard neighboring setback line from 10 feet to 6 feet. These setback reductions will provide us an ample amount of space to build an attractive, historically-appropriate addition that will meet the needs of our growing family.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is a cursive script that appears to read 'Rachel Barry'. The signature on the right is also in cursive and appears to read 'Philip Andrew Myrick'. Both signatures are fluid and connected.

Rachel Barry and Philip Andrew Myrick

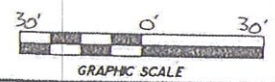


AREA = 0.2785 ACRE  
 #126 STEWART AVENUE

= Proposed addition  
 = Existing house

I HAVE THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED HOUSE **NOT** IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PANEL NO. 13067C0108J  
 LOCATION COBB  
 ZONE "X"



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN  $10,000$  FEET AND AN ANGULAR ERROR OF  $1$  SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN  $20,000$  FEET.

EQUIPMENT USED:  
 TOPCON (GT3-RIB)  
 IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

*James A. Evans, Jr.*  
**J.A. EVANS**  
 SURVEYING CO., INC.  
 POWDER SPRINGS, GEORGIA  
 PH. 770-943-0000

**SURVEY FOR:**  
 RACHAEL BARRY

LOT	BLK.	UNIT	REVISIONS
	D.B.	15277	
		PG. 1648	
LAND LOT		1147	
DISTRICT	16 <sup>TH</sup>	SECTION 2ND	CC
	COBB	COUNTY, GEORGIA	DRWN
PLAT BOOK	64	PAGE 166	CHKD
DATE:	5-11-17	SCALE: 1" = 30'	JOB #
			14.7-17

STUBS PER R-4 ZONING  
 survey was prepared in conformity with The  
 nical Standards for Property Surveys in Georgia  
 t forth in Chapter 180-7 of the Board Rules of the  
 gia Board of Registration for the Professional  
 teers and Land Surveyors and as set forth in the  
 gia Plat Act O.C.G. A. 15-6-67.

LSF00248