

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

### MEMORANDUM

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To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director  
Joey Staubes, Planner II

Date: July 17, 2024

RE: **VARIANCE CASE V24-052**  
**2649 Grady Street – Increase the maximum impervious surface area from 45% to 63%**

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#### BACKGROUND

The applicant is requesting a variance to increase the impervious surface area from 45% to 63% for a pool in the rear yard. Section 801 sets the maximum impervious area and setbacks in the RDA zoning district.

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#### ANALYSIS

The subject parcel is a 0.16-acre corner lot located to the east side of Grady Street (see Figure 1). The subject parcel and adjoining parcels to the north, south, and east are zoned RDA while the adjacent parcel to the west is zoned R-15; all are occupied by single-family detached residences.

The subject property is currently occupied by a 2,023 square foot single-family home, built in 2011. The existing house is currently situated in the middle of the lot with a front-entry garage off Grady Street. The applicant is proposing to build a 769 square foot pool and spa, 145 square foot retaining wall, and 204 square foot paver area in the rear of the property. As the existing impervious coverage is 46% a variance is needed to increase the maximum impervious coverage to install the pool and other landscaping improvements.

After the addition of the pool and other impervious surface improvements to the property, the impervious surface area will be above the allowable 45% by 18% (or 1135 square feet). To offset the increase in impervious surface area, the applicant is adding a french drain to the rear yard, directly behind the proposed swimming pool. The City Engineer has reviewed the application and is supportive of the proposed mitigation method with the stipulation that a Stormwater Inspection & Maintenance Agreement be recorded prior to pool permit issuance.

Community Development believes the requested variance is the minimum variance needed to build an outdoor amenity on the property. At the time of this report, Community Development has not received any opposition to the requests.

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## STAFF COMMENTS

The applicant is requesting to deviate from the City's maximum impervious area to build a swimming pool and spa as well as other landscaping improvements on the property. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. After a review of the standards above, Community Development believes that the proposed variances will not adversely affect surrounding residents with implementation of the proposed mitigation plan; therefore, staff recommends **approval** of the requested variances with the following conditions:

1. Approval of the requested variances shall be conditioned upon substantial compliance with the mitigation plan submitted with the variance application.
2. A Stormwater Inspection and Maintenance Agreement shall be completed and recorded with the Cobb County Superior Court prior to issuance of the pool permit.
3. A stormwater as-built certification statement shall be submitted to Community Development for approval prior to issuance of the Certificate of Completion.

**Figure – 1**



Figure – 2  
Site Plan

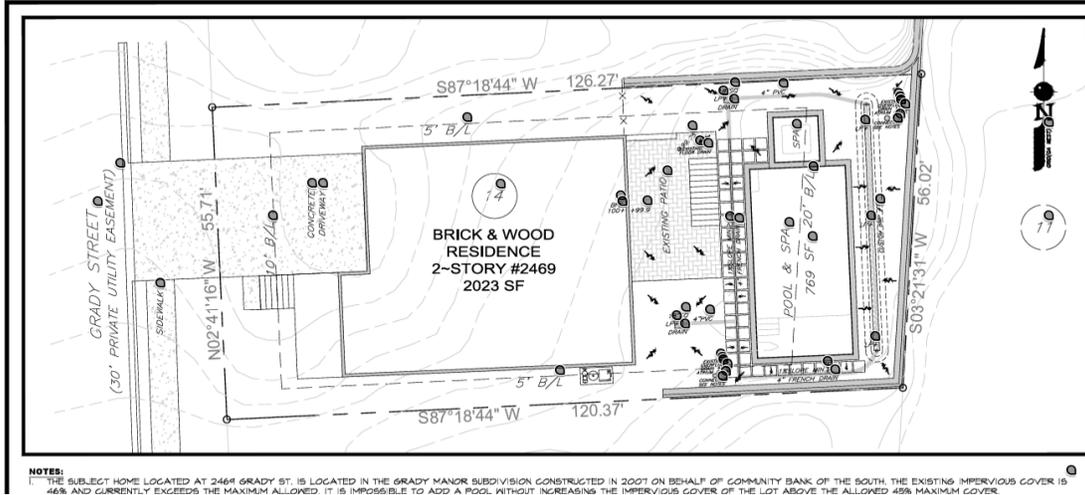


Figure – 3  
Subject Property



**Figure – 4**  
**Adjacent Property**



**Figure – 5**  
**Adjacent Property**



**Figure – 6**  
**Adjacent Property**

