

**Variance Application**

**VAR-24-40**

Submitted On: May 20, 2024

**Applicant**

Justin Simms  
8134314788  
@ simms.justin@gmail.com

**Primary Location**

2649 GRADY ST SE  
SMYRNA, GA 30080

**Applicant Information**

**First Name**

Justin

**Last Name**

Simms

**Street Address**

2649 Grady Street

**City**

Smyrna

**State**

GA

**Zip Code**

30080

**Email**

Simms.justin@gmail.com

**Phone Number**

8134314788

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

Yes

**Property Information**

**Property Address**

2649 Grady St

**Description of Requested Variances**

Impervious service allotment for backyard pool

**Please check the box below if the requested variance(s) includes an increase in the maximum impervious surface area or an encroachment into a City stream buffer.**

true

**\*\*If the request includes an increase in the maximum impervious surface area or an encroachment into a City stream buffer, a stormwater mitigation plan is REQUIRED prior to submittal of the variance application.\*\***

**Please contact City Engineer, Mark Wolff with any questions relating to the stormwater mitigation plan; 678-631-5546 or mwolff@smyrnaga.gov.**

**Comprehensive Narrative**

In rendering its decisions, the License and Variance Board shall consider the following factors:

1. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
2. The locations of all streams on the property, including along property boundaries;
3. The location and extent of the proposed buffer or setback intrusion;

4. Whether alternative designs are possible which require less intrusion or no intrusion;

5. The long-term and construction water-quality impacts of the proposed variance;

6. Whether as a result of an exchange of buffer area the net buffer area is not reduced; and

7. Whether issuance of the variance is at least as protective of natural resources and the environment.

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

**Overview:**

The proposed development of a swimming pool at 2469 Grady Street seeks approval for a minor variance concerning the nonconforming use of impervious surface coverage. The current lot size and pre-existing conditions have led to our request for the city to approve this variance and allow us to enhance the utility and enjoyment of the property while maintaining environmental safeguards.

**Lot Size and Constraints:**

The lot at 2469 Grady Street is notably small with a total square footage of just 6,870 sf, which is less than the minimum 7,260 sf required by the City's most dense residential zoning (RDA). The existing house, driveway, and patio combine to cover 46% of the lot, already exceeding the allowable 45% impervious surface coverage. The rear yard, further restricted by existing retaining walls, a covered deck, and a paver patio, provides the only feasible space for a swimming pool, as pools are not permitted in front yards.

**Proposed Pool and Mitigation Efforts:**

Given the priorities of the zoning ordinance, our design aims to minimize the additional impervious surfaces. We have significantly reduced the conventional deck area around the pool, replacing much of it with stepping stones on two sides. Additionally, our plan includes the integration of storm water and water quality Best Management Practices (BMPs) designed to infiltrate surface runoff from the pool and associated pavers.

**Environmental Impact:**

Key to our proposal is ensuring no long-term negative impacts downstream of the development. The BMPs and infiltration features incorporated into our design will effectively manage and mitigate runoff, aligning with environmental standards and demonstrating our commitment to sustainable development.

**Conclusion:**

Although the proposed pool slightly increases the impervious surface coverage to 63%, the careful design and mitigation strategies ensure that the project's environmental impact is minimized. The unique constraints of the small lot and pre-existing coverage conditions justify the need for this variance. We respectfully request that the city approve this nonconforming use so that the property can be fully utilized and enjoyed in a manner consistent with both the owner's needs and the community's environmental standards.

**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:**

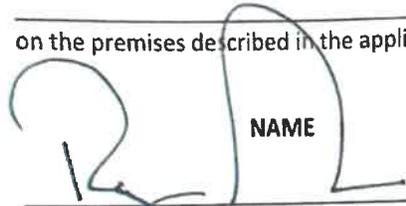
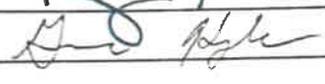
true

**NOTIFICATION OF CONTIGUOUS OCCUPANTS  
OR LANDOWNERS**

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

Intends to make an application for a variance for the purpose of  
Adding a backyard pool resulting in an overage of the allotted impervious surface allowance in the  
city.

on the premises described in the application.

NAME	ADDRESS
	2643 Grady Street
	2650 Grady Street
	2655 Grady Street
	1065 Elle Court

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.

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NAME	ADDRESS
	2643 Grady Street
	2650 Grady Street
Adam Stokes 	2655 Grady Street 
	1065 Elle Court

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**From:** [Mike Hickenbottom](#)  
**To:** [Caitlin Crowe](#)  
**Subject:** RE: 2649 Grady St Taxes  
**Date:** Tuesday, May 21, 2024 10:15:26 AM

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Hey Caitlin,

All the Smyrna taxes are paid in full for 2649 Grady Street.

Thank you,

Mike Hickenbottom  
City of Smyrna  
678-631-5325

**From:** Caitlin Crowe <ccrowe@smyrnaga.gov>  
**Sent:** Tuesday, May 21, 2024 10:10 AM  
**To:** Mike Hickenbottom <mhickenbottom@smyrnaga.gov>  
**Subject:** 2649 Grady St Taxes

Good morning Mike,

Can you please confirm if 2649 Grady St has fully paid their Smyrna taxes?

Thank you!

**Caitlin Crowe**  
Planner I, Community Development  
City of Smyrna  
Phone: (678) 631-5360  
[ccrowe@smyrnaga.gov](mailto:ccrowe@smyrnaga.gov)



Printed: 5/20/2024

# 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:  
SERVBANK

**SIMMS JUSTIN D**

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

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2023	17048900990	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	\$7,228.47	\$0.00



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

