

APPLICATION FOR VARIANCE  
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward:

Application No: V21-072

Hearing Date: 7/28/21

APPLICANT: Ashley Barton / Georgia Classic Pool  
Business Phone: \_\_\_\_\_ Cell Phone: 408-63-2450 Home Phone: \_\_\_\_\_  
Representative's Name (print): Samuel  
Address: 1301 Iron Mtn Rd  
Business Phone: \_\_\_\_\_ Cell Phone: 408-63-2450 Home Phone: \_\_\_\_\_  
E-Mail Address: Ashley@georgiaclassicpool.com  
Signature of Representative: Ashley Barton

TITLEHOLDER: Michael Bailey  
Business Phone: \_\_\_\_\_ Cell Phone: 678-640-4442 Home Phone: \_\_\_\_\_  
Address: 3340 Lee St. SE Smyrna, GA 30080  
Signature: Michael Bailey

VARIANCE:

Present Zoning: R-20 Type of Variance: \_\_\_\_\_

Explain Intended Use: Request for variance to allow for  
in ground swimming pool. Request for second  
accessory structure. Currently have detached garage.

Location: Rear yard

Land Lot(s): 525 District: 17 Size of Tract: 0.4333 Acres

(To be completed by City)

Received: 7/18/21

Legal Ad Posted: \_\_\_\_\_

Signs Posted: \_\_\_\_\_

Approved/Denied: \_\_\_\_\_

CONTIGUOUS ZONING

North: R-20

East: R-20

South: R-20

West: R-20

**ZONING ORDINANCE**

**SEC. 1403. VARIANCE REVIEW STANDARDS.**

(a) In rendering its decisions, the License and Variance Board or Mayor and City Council 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.

Please include your narrative here, or you may submit a typed narrative as a supplement to this application.

**COMPREHENSIVE NARRATIVE**

See separate page for typed narrative.

7/7/2021

To Whom it May Concern,

My name is Ashley Barton and I am representing Georgia Classic Pool as the hired pool contractor of Mr. and Mrs. Michael Bailey, located at 3340 Lee St SE, Smyrna, GA 30080. We are writing to request a variance to allow a swimming pool to be built on their property. The reason for the variance is that there is currently a detached garage located on their property. Since the detached garage is considered an accessory structure, and code states that only one accessory structure is allowed on a property zoned R-20, then we must request a variance to allow a secondary accessory structure.

The exceptional condition applying to the property in question is the presence of the detached garage. Most other homes surrounding this one has attached garages, rather than detached, taking up the use of the accessory structure.

The hardship is not considered self-created as this is not an additional garage, but the sole garage space for this property. There is ample space left to install a swimming pool without exceeding max allowable lot coverage.

The strict application of the code would make it very difficult for the homeowners to build on and add value to their existing home. The garage is simply an extension of their home. Unlike other secondary structures, there is no option to easily remove this from said property as it is a permanent structure.

I believe the variance proposed is the very minimal variance which would make it possible to get reasonable use of their property.

Thank you for your time and consideration,

Ashley Barton

Georgia Classic Pool

1301 Iron Mtn Rd

Canton, GA 30115

**NOTIFICATION OF CONTIGUOUS OCCUPANTS OR LAND OWNERS TO  
ACCOMPANY APPLICATION FOR VARIANCE**

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

Intends to make an application for a variance for the purpose of allowing a  
Secondary accessory structure on his property.

on the premises described in the application.

**NAME**

**ADDRESS**

Certified letters  
mailed to  
these neighbors

3320 Lee St

3350 Lee St

3331 Lee St

334a Ann St

3351 Ann St

Please have adjacent property owners sign this form to acknowledge they are aware of your variance request. Also, you may 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 directly across a street.

7019 1640 0001 0519 3047

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
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Smyrna, GA 30080

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55

Total Postage and Fees \$4.15

Sent To

Street and Apt. No., or PO Box No.  
3351 Dunn St

City, State, ZIP+4<sup>®</sup>

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

0260  
03

Postmark  
Here

07/08/2021

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3350 Lee St

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See Reverse for Instructions

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03

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Here

07/08/2021

Dear Neighbor,

My name is Ashley Barton and I am representing Georgia Classic Pool. Your neighbors, Mike and Lori Bailey, located at 3340 Lee St SE, have hired us to install a swimming pool in their backyard. We are having to apply for a variance, however, because the zoning only allows for 1 Accessory structure. Since the Bailey's have a detached garage, we are having to apply for a variance to allow for a secondary accessory structure (ie, the pool).

I am writing this letter to let you know we will be appearing before the Variance Board on July 28<sup>th</sup> at 10:00 AM in the Council Chambers in City Hall at 2800 King Street, Smyrna, GA 30080.

Included in this letter you will find our variance application and site plan showing proposed pool plans.

Thank you for your time and consideration,

Ashley Barton

Georgia Classic Pool



**CARLA JACKSON** TAX COMMISSIONER  
**HEATHER WALKER** CHIEF DEPUTY  
Phone: 770-528-8600  
Fax: 770-528-8679

Printed: 7/12/2021

### Cobb County Online Tax Receipt

Thank you for your payment!

Payer:  
FLAGSTAR BANK

**BAILEY MICHAEL K & LOREEN M**

**Payment Date: 10/8/2020**

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2020	17052500030	10/15/2020	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$3,634.00	\$0.00	



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bill!!