

MEETING OF May 28, 2014

WARD/COMMITTEE 7

ITEM NUMBER V14-017 & 018

\$ IMPACT N/A

ISSUE:

V14-017 Reduction of required front yard setback from 35 feet to 20 feet at 1455 Whitfield Street.

V14-018 Reduction of required side setback from 10 feet to 8 feet at 1455 Whitfield Street.

SUMMARY: The applicant is requesting a reduction of the front yard setback from 35 feet to 20 feet for the construction of a front porch, and a side setback reduction from 10 feet to 8 feet for the construction of a master bathroom on a single-family home.

BACKGROUND: None.

STAFF RECOMMENDATION: The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a minimum front yard setback of 35'. The applicant requests a reduction of the front setback for 1455 Whitfield Street to 20' for the construction of 6 feet in depth and 12 feet in length front porch on a single-family home. The applicant is also requesting a side setback reduction from 10 feet to 8 feet for a master bathroom addition. 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. Community Development has reviewed the request against the variance review standards and found it to be in compliance with four (4) of the four (4) standards. Furthermore, there is a precedent for variances of this type in the area. At the time of this report, Community Development has not received any phone calls regarding the variance request. After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance.

REQUESTED ACTION: The License and Variance Board hold a public hearing per Section 1400 of the Smyrna Code.