

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

### MEMORANDUM

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To: Mayor & Council

From: Ken Suddreth, Community Development Director  
Joey Staubes, AICP - Planner II

Date: March 4, 2016

**RE: VARIANCE CASE V16-006**  
**3154 Dunn Street – Allow reduction of lot width from 85 feet to 75 feet for the proposed lot split 14A and 14B**

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#### **BACKGROUND**

The applicant requests a variance to reduce the minimum lot width requirement from 85 feet to 75 feet for the creation of a two lot subdivision on the subject property. The minimum lot width of 85 feet is based upon the zoning standards associated with the R-15 zoning district. The subject property is currently zoned R-15, has an area of 1.08 acres, and a lot width of 150 feet. The subject property currently consists of a single family house and accessory buildings.

#### **ANALYSIS**

The subject parcel is on the west side of Dunn Street; approximately 200 feet south of the intersection at Legion Drive (see Figure 1). The subject parcel is zoned R-15 as well as the adjacent properties to the north, south, and west. The adjacent properties across Dunn Street to the east are zoned R-20. All are occupied by single family homes, except the property to the west which is a city park. The subject property has an existing single family home built around 1947 and two accessory buildings. The subject property is 1.08 acres (47,000 sq. ft.), with a width of 150 feet and depth of 318 feet, and identified as Lot 14 in the Timmerman Subdivision. The rear of the subject property abuts Brinkley Park to the west.

While some of the lots in the Timmerman Subdivision remain in their original form, many have been subdivided, either at the midpoint of depth, or approximate midpoint of width. Lot 4, for instance, was divided at both the width and depth midpoints and now consists of 4 homes – two facing Dunn Street and two facing Lee Street. These four lots are zoned R-20 and thus non-conforming as they relate to lot area and lot width. The parcels to the north of Legion Drive, on the west side of Dunn Street have lot widths that range from 80 feet to 55 feet.

The applicant is requesting to split the subject property into two lots and construct two houses for his family on one and his mother on the second. Each lot is proposed to be 75 feet in width, and 0.54 acres. The proposed density is thus under 3 units per acre, at approximately 1.85 units per acre, which is consistent with the Land Use Plan. The proposed lot split would be

consistent with the configuration of Lot 4 – now 3169 and 3175 Dunn Street; however the subject property cannot be split at the midpoint of lot depth as there is no road frontage on the western property boundary. Should the variance and lot split be approved, no other variances are required to construct the proposed homes. The applicant proposes to construct two new single family homes, each approximately 2300 sq. ft., with a side entry garage. The applicant has agreed to use different materials and colors on the facades of each home to differentiate the two homes.

Community Development has reviewed the request and found it to be in compliance with the review standards set forth in Section 1403. The proposed lot split meets all zoning requirements except that of lot width. The proposed lot split is consistent with the other former 150' wide lot, originally known as Lot 4, in the Timmerman subdivision, as well as those lots to the north of the subject property. Although the applicant could keep one lot 85 feet and the new lot 65 feet and only require one variance, Community Development recommends the lot split as proposed with each lot being 75 feet wide. The variance required is the minimum variance needed. Approval of the requested variance The Planning & Zoning Board recommended approval of the variance and lot split at the March 14, 2016 hearing.

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#### STAFF COMMENTS

The applicant is requesting to deviate from the City's minimum lot width requirement established by the R-15 zoning district of 85 feet. 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. Community Development recommends approval of the requested variance with the following conditions:

1. Approval shall be conditioned upon substantial compliance with the site plan submitted for plat approval on 2/4/16.
2. Approval shall be conditioned upon the front elevations utilizing different building materials and colors, as well as other accents that differentiate the two homes.

VARIANCE CASE V16-006  
March 14, 2016 P&Z  
April 4, 2016 M&C  
Page 3 of 6

**Figure – 1**  
**Site Map**

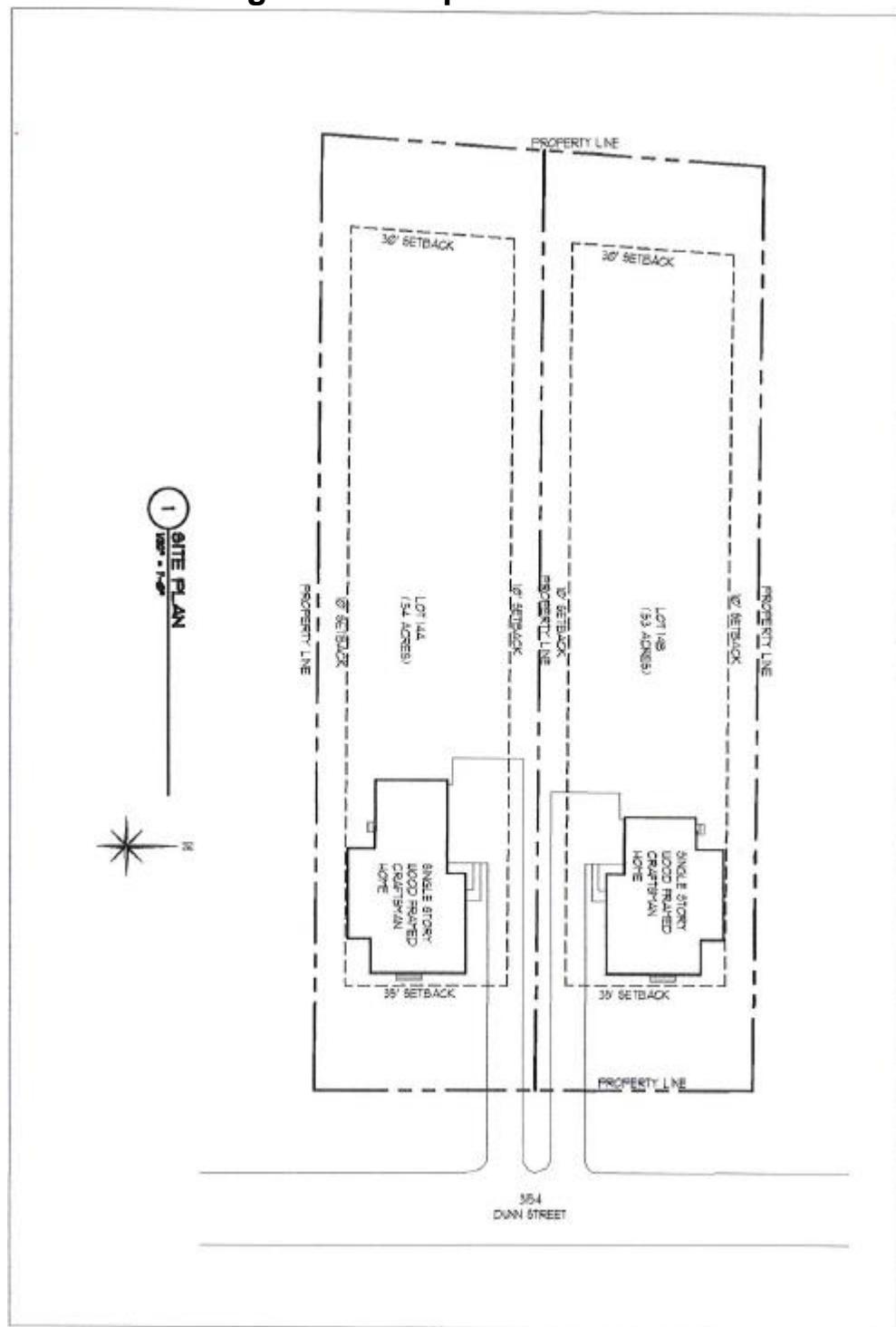


**Figure – 2**  
**Subject Property**



VARIANCE CASE V16-006  
March 14, 2016 P&Z  
April 4, 2016 M&C  
Page 4 of 6

**Figure 3 – Proposed Site Plan**



VARIANCE CASE V16-006  
March 14, 2016 P&Z  
April 4, 2016 M&C  
Page 5 of 6

**Figure-4  
Proposed Elevation**



**Figure – 5  
Adjacent Properties**



VARIANCE CASE V16-006  
March 14, 2016 P&Z  
April 4, 2016 M&C  
Page 6 of 6

## Figure – 6 Timmerman Subdivision

