

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director
Caitlin Crowe, Planner I

Date: August 10, 2021

RE: VARIANCE CASE V21-093
1105 Pinehurst Drive – Reduce the front setback from 35 feet to 30 feet

BACKGROUND

The applicant is requesting a variance to reduce the front setback for 1105 Pinehurst from 35 feet to 30 feet for the construction of a front porch. The minimum front setback is required based upon the standards associated with the R-15 zoning district per Section 801 of the Zoning Code.

ANALYSIS

The subject parcel is a 0.31-acre lot located on the north side of Pinehurst Drive (see Figure 1). The subject parcel and all adjacent properties are zoned R-15 and are occupied by single-family detached residences.

The applicant currently has an uncovered front stoop on the existing home. The applicant is proposing to replace the existing stoop with a 6-foot x 6-foot (36 square feet) covered front porch with a gable roof. This will allow the applicant to enjoy the front yard as well as enter the home in inclement weather more easily. The existing home is currently 2 feet from the front setback line, leaving little room for a roof on the existing front porch, much less any other frontward expansion. The applicant has proposed the new porch will be 30 feet from the front property line and will encroach on the front setback by 5 feet.

The existing home was constructed in 1954, prior to the adoption of the zoning ordinance. Community Development believes the variance requested is the minimum variance needed to construct a usable front porch in the front yard. The hardship is not self-imposed, as the original home was built prior to the adoption of the zoning ordinance. Community Development does not foresee any negative impacts to adjacent properties should the variances be approved.

STAFF COMMENTS

The applicant requests a variance to reduce the front setback for 1105 Pinehurst Drive from 35 feet to 30 feet for the construction of a front porch. 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

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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. 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 with the following condition:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Figure – 1



Figure – 2
Site Plan

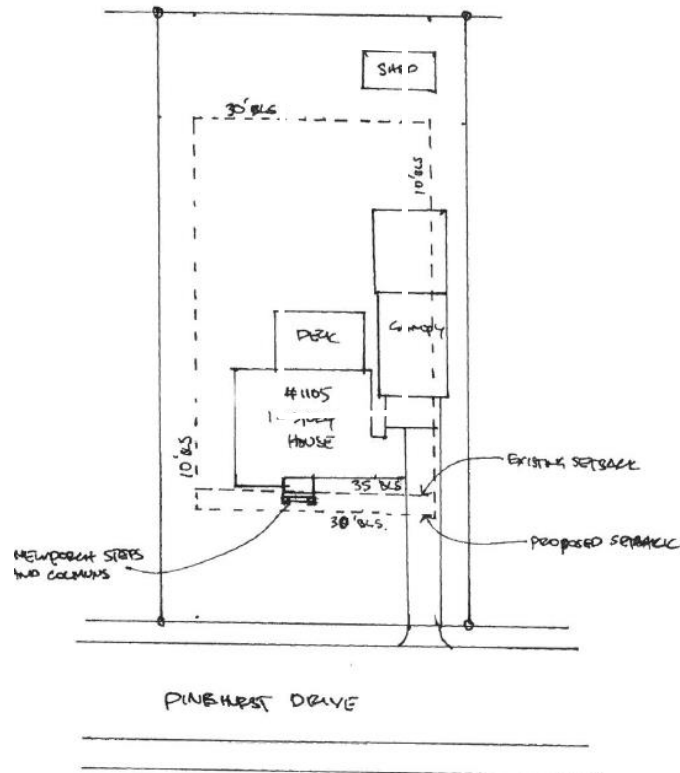


Figure – 2
Proposed Front Elevation

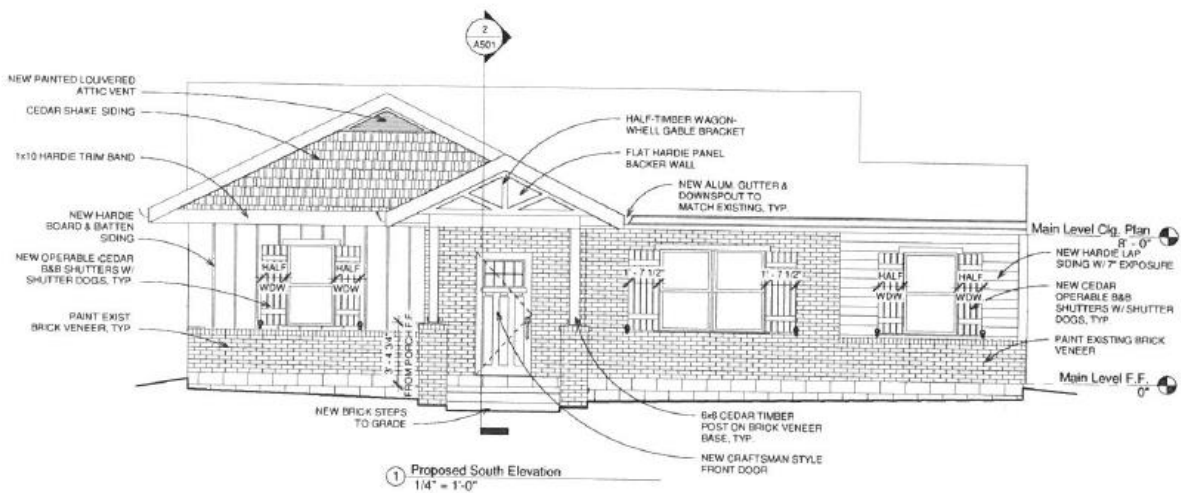


Figure – 2
Subject Property



Figure – 3
Adjacent Property across Pinehurst Drive



Figure - 4
Adjacent Property to the East



Figure - 5
Adjacent Property to the West

