

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: April 20, 2018

RE: VARIANCE CASE V18-037
3379 S Cobb Drive – Allow lot size below 3 acres within S Cobb Corridor Design District

BACKGROUND

The applicant is requesting a variance to reduce the minimum lot size within the S Cobb Corridor Design District below 3 acres. Sun Trust would like to subdivide their existing lot which is non-conforming at 2.38 acres. The subject property is comprised of a stand-alone bank branch, and a stand-alone drive thru. Section 717.71 of the Zoning Ordinance requires parcels along S Cobb Drive have a minimum lot size of 3 acres.

ANALYSIS

The subject parcel is located to the east of S Cobb Drive, within the Greenwood Subdivision (See Figure 1). The subject parcel and adjoining parcels to the north, south, and west are zoned GC – General Commercial and are occupied with commercial uses. The property to the east is zoned R-15 and is occupied with single family homes.

The subject property is occupied by Sun Trust Bank and was developed in 1971. The lot is non-conforming as it is 2.38 acres, and the S Cobb Corridor Design District requires minimum lot size of 3 acres. The site is comprised of a stand-alone bank branch and stand-alone drive thru. Sun Trust would like to subdivide the property to create Tract 1, where the bank building is located with an area of 1.60 acres, and Tract 2, where the drive-thru is located with an area of 0.78 acres. The applicant is proposing to redevelop Tract 2, by demolishing the drive-thru and building a prototype bank branch and drive-thru combined. After Tract 2 is developed, the applicant plans to sell Tract 1. If the subdivision is allowed, the bank/drive-thru will be reoriented to face S Cobb Dr. and will enable the closure of two existing curb cuts along S Cobb Drive. Thus, the four access drives along S Cobb Drive will be reduced to two access drives.

The ability to subdivide the property will not dramatically change the layout of the property. It will just allow the applicant to consolidate the bank and drive thru into one building, and to sell the former bank building. The hardship is not self-created, as the parcel is already non-conforming at 2.38 acres, and currently occupied by two separate buildings. The variance requested is the

minimum variance needed to subdivide the property. Strict application of the ordinance would require the applicant to sell the whole property as-is, or to maintain ownership of a building that will become obsolete. Community Development has not received any calls in opposition to the request.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by the City for minimum lot area of 3 acres along S Cobb Drive. The applicant is requesting a variance to subdivide the existing non-conforming lot of 2.38 acres into two lots. 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. Similar variances have been approved throughout the city. 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 with the following condition:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the subdivision plat submitted with the variance application.

Figure – 1



Figure – 2
Subject Property - Bank



Figure – 3
Subject Property – Drive-Thru



Figure - 4
Proposed Subdivision Plat



