

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: August 2, 2021

RE: VARIANCE CASE V21-058
3393 Pretty Branch Drive – Reduce side setback from 12 feet to 7 feet for a detached garage

VARIANCE CASE V21-059
3393 Pretty Branch Drive – Increase accessory building height from 15 feet to 18.8 feet

VARIANCE CASE V21-060
3393 Pretty Branch Drive – Increase accessory building size from 25% to 41%

BACKGROUND

The applicant is seeking three variances to construct a detached 2-car garage in the rear of the 3393 Pretty Branch Drive: reduce the side setback from 12 feet to 7 feet, increase the accessory building height from 15 feet to 18.8 feet, and increase the accessory building size from 25% to 41% of the primary dwelling. The maximum accessory structure size and height is required based upon the standards associated with Section 501 of the Zoning Code whereas the 12-foot setback is associated with Section 801 of the Zoning Code.

The License and Variance Board heard the request at a regularly scheduled meeting on July 28, 2021 and voted 3-0 to approve the requests. The adjacent property owner to the south, Cheryl Miller of 3405 Pretty Branch Drive, has appealed the decision.

ANALYSIS

The subject parcel is a 0.71-acre lot located on the east side of Pretty Branch Drive (see Figure 1). The subject parcel and all the adjacent parcels are zoned R-20 and are all occupied by single-family detached residences.

The applicant is proposing to build a 1,651 square foot detached 2-car garage at the rear of the property. The proposed garage will have two levels: the first floor being the garage to park the vehicles, and the second an unfinished attic strictly for storage space. An interior staircase will lead to the second floor. The garage will have a mixed façade of brick, hardiplank, and board and batten to match the current exterior of the home. To access the new structure, the applicant will be using the existing driveway off Pretty Branch Drive, extending it 3.4 feet to reach the front

of the garage. Due to the distance from the roadway and gradual slope of the property, the structure will have limited visibility from the roadway and should have no disturbance to the surrounding neighbors.

The existing two-story home is 4,008 square feet, which means that the proposed garage exceeds the allowable accessory structure size by 16% based off the primary structure's square footage. Although the footprint of the structure is 976 square feet, the area calculations are almost doubled since the structure has a second level. If there were no storage on the second level, the building size variance would not be required.

The applicant has proposed to increase the accessory structure height of the detached garage from 15 feet to 18.8 feet to match the roofline of the primary building more consistently. This will also allow the applicant to have an unfinished attic for storage space. Due to the size and composition of the accessory structure, the increase in height will allow it to blend in more seamlessly with the existing building and decrease any visual deterrents.

The variances proposed should have no negative impact on adjacent properties and since the proposed garage will use the existing concrete driveway, there should be minimal land disturbance.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by the City for the maximum accessory structure size of 25% of the main structure, the maximum accessory structure height of 15 feet, and the side setback of 12 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 with four (4) of the four (4) standards. After a review of the standards above, Community Development believes that the variances will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following condition:

1. Approval is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. Gutters and downspouts will be installed to divert stormwater away from adjacent properties.
3. The proposed garage shall not be rented or occupied for gain.
4. These conditions shall run in perpetuity with the property and as such are also applicable to any future owner.

Figure - 1



**Figure - 2
Proposed Site Plan**

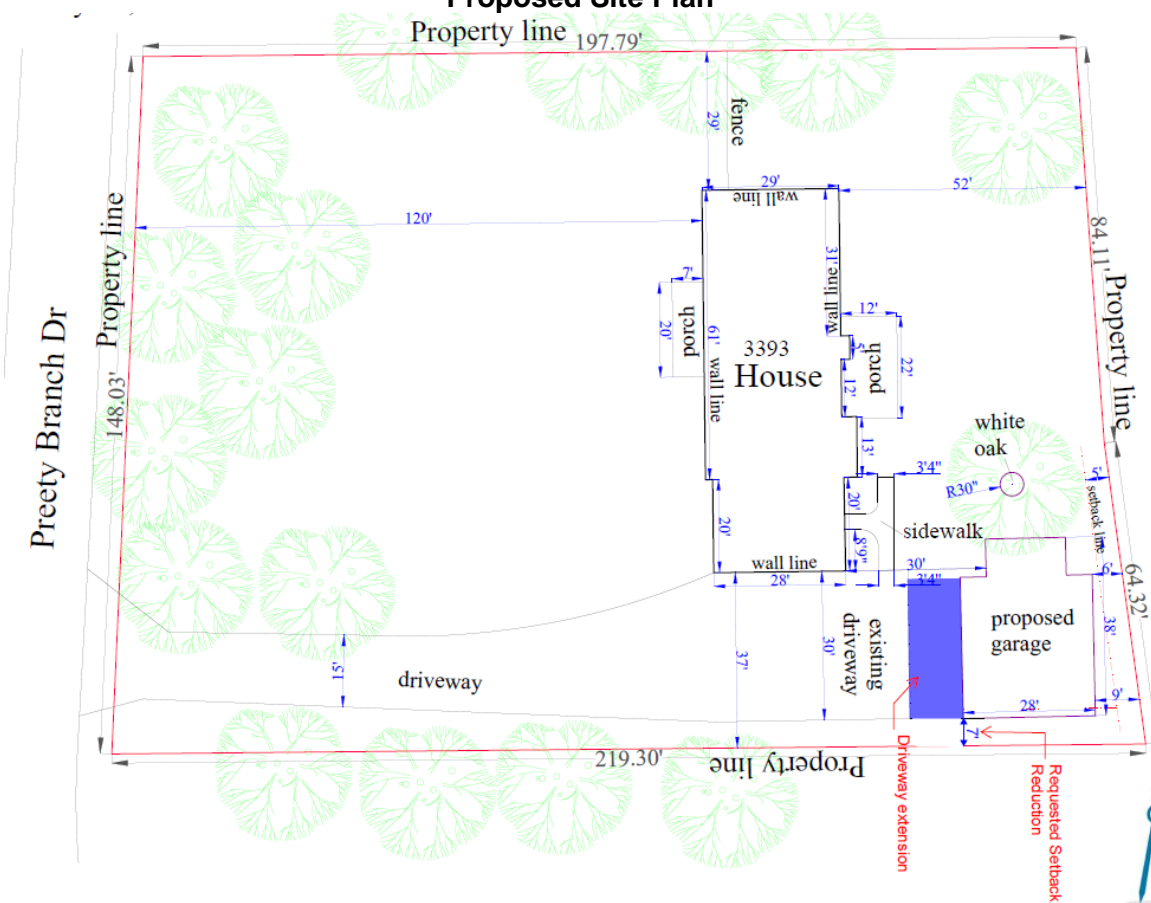


Figure – 3
Detached Garage Elevations

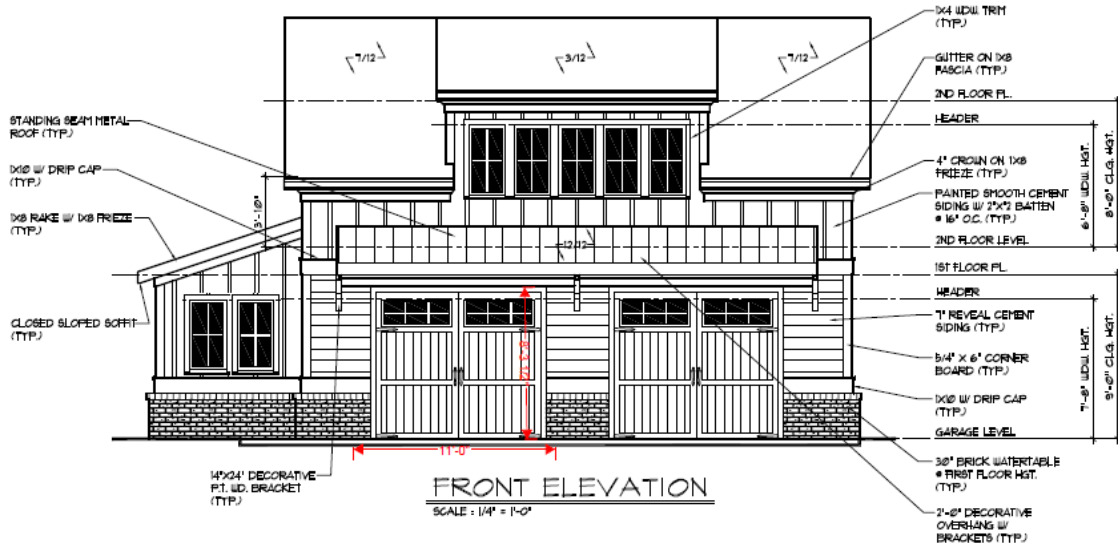


Figure – 4
Subject Property



Figure – 5
Location of Proposed Detached Garage



Figure – 6
Adjacent Property across Pretty Branch Drive



Figure – 7
Adjacent Property to the South

