

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Ken Suddreth, Director of Community Development
Russell Martin, AICP, Senior Planner

Date: February 12, 2019

CC: Planning and Zoning Board
Tammi Saddler-Jones, City Administrator

RE: Annexation with Variances – 2475 Adams Drive

Applicant: Ronald Dickinson

Titleholder: Ronald Dickinson

Location: 2475 Adams Drive

Land Lot: 519

Ward: 3

Access: Adams Drive

Existing Improvements: Single-family residence

Existing Zoning: R-20 (Cobb)

Proposed Zoning: R-15 (Smyrna)

Size of Tract: 0.113 Acres

Contiguous Zoning:

North	R-20 (Cobb)
South	R-20 (Cobb)
East	R-20 (Cobb)
West	RAD

Hearing Dates:

Mayor and Council February 18, 2019

Proposed Use:

The applicant is proposing to demolish the existing home and construct a new home with a couple of variances for the front and rear setbacks.

Staff Recommendation:

Approval the variances with conditions.



STAFF COMMENTS

Ronald Dickinson is requesting approval to annex the existing parcel on Adams Drive. Mr. Dickinson is proposing to demolish the existing home to construct a new home. The existing home is a one-story wood frame home that was built in the mid 1900's. The new proposed home is a two-story home with traditional architecture. The existing lot is a legal non-conforming lot with respect to the requirements of the R-15 zoning district. Therefore, as part of the annexation, Mr. Dickinson is requesting front and rear setback reductions to build the new home. The subject property is 0.113 acres in size and will be zoned R-15 (single-family residential) after the annexation. Due to the existing size of the lot and the requirements of the R-15 zoning district, the following variances will be needed to construct the new home:

1. Reduction in the minimum front setback from 35' to 15'; and
2. Reduction of the minimum rear setback from 30' to 15'.

The new proposed home will maintain the front setback of the existing home, as well as, the same rear setback. The City's Zoning Ordinance requires the new home to meet all the setback requirements of the R-15 zoning district, since the existing home will be demolished. Strict application of the setback requirements of the R-15 zoning district would make the parcel unbuildable. The existing lot is 69' in depth and the R-15 front setback requirement is 35' with a rear setback requirement of 30', for a total setback requirement of 65' for the property. Strict application of the R-15 setback requirements would leave the lot with 4' of buildable area across the lot. The proposed variances would allow the applicant to build a new home on the non-conforming lot at relatively the same setbacks as the existing home.

STAFF RECOMMENDATION

The applicant is requesting to deviate from the City's minimum front and rear setback requirements for the R-15 zoning district (Section 801 of the Zoning Ordinance) for the construction of a new home at 2475 Adams Drive. 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 all four standards. Community Development believes the existing non-conforming lot is a unique circumstance that was not created by the applicant and the strict application of the R-15 setback requirements would deprive the applicant of reasonable use of the property. The requested variances are the minimum variances needed to develop the property in a similar fashion as the adjoining residential properties. At the time of this report, Community Development has not received any opposition regarding the request. Therefore, Community Development recommends **approval** of the requested variance with the following conditions:

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1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan submitted with the variance application.
2. The applicant shall dedicate 5' of right-of-way to the city along Adams Drive for the length of the property. All setbacks shall be taken from the existing right-of-way.
3. The property shall maintain the following minimum setbacks:
 - Front – 15'
 - Side – 10'
 - Rear – 15'

Subject Property



Adjacent Properties



