



# City of Smyrna

City of Smyrna  
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## Issue Sheet

File Number: 2021-191

Agenda Date: 5/17/2021

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Variance Request

Agenda Number: E.

**WARD / COUNCILMEMBER:** Ward 4 / Charles Welch

**\$ IMPACT:** N/A

### Agenda Title:

**Public Hearing** - V21-044 - Reduce the rear setback from 30 feet to 24 feet for a deck -  
Land Lot 384 - 632 Austin Drive - David Samani

**ISSUE AND BACKGROUND:** The applicant is requesting a variance to reduce the rear setback from 30 feet to 21 feet to replace a deck on an existing home. Section 801 of the zoning ordinance requires a rear setback of 30 feet for lots zoned R-15.

**RECOMMENDATION / REQUESTED ACTION:** The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a minimum rear yard setback of 30 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 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 i substantial compliance with the site plan and elevations submitted with the variance application.