

# **CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM**

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To: License and Variance Board

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

Date: March 11, 2021

**RE: VARIANCE CASE V21-024  
1417 Katherine Rose Lane – Allow additional accessory structure**

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## **BACKGROUND**

The applicant is requesting a variance to construct a 616 square foot cabana at 1417 Katherine Rose Lane. The property is currently occupied by an existing single-family home and an in-ground swimming pool. Thus, the applicant requires a variance to allow construction of a cabana as an additional accessory structure. Section 501 controls the maximum allowable number of accessory structures.

## **ANALYSIS**

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The subject parcel is located on the south end of Katherine Rose Lane in the Grove at Forest Hills subdivision (see Figure 1). The subject parcel and all adjacent parcels are zoned R-20 and are occupied by detached single-family residences. The subject property is 0.46 acres (20,000 square feet).

The subject property is currently occupied by a single-family home and a 650 square foot inground swimming pool. The accessory structure ordinance allows one accessory structure or use per lot and since a pool already exists on the property, a variance is required. The applicant is proposing to construct a 616 square foot freestanding cabana to provide shade and entertainment space while using the existing in-ground swimming pool. The structure will have three open sides, with the rear enclosed with batten strips to create a 176 square foot bathroom and storage area. There will also be a large outdoor brick fireplace separating the two spaces; the fireplace and cabana will be painted white to match the existing home.

The subject property is buffered from adjacent properties by an existing wooden six-foot privacy fence. Due to the size of the lot and the existing fence, Community Development believes the proposal will not adversely impact adjacent properties. No other variances for setback reduction or impervious area increase are required.

The applicant is requesting a variance to allow the construction of a freestanding cabana. Community Development believes the variance requested is the minimum variance needed. Furthermore, an almost identical variance request was approved at 1400 Katherine Rose Lane

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in 2020 (V20-032). Community Development has not received any calls in opposition to the request.

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### STAFF COMMENTS

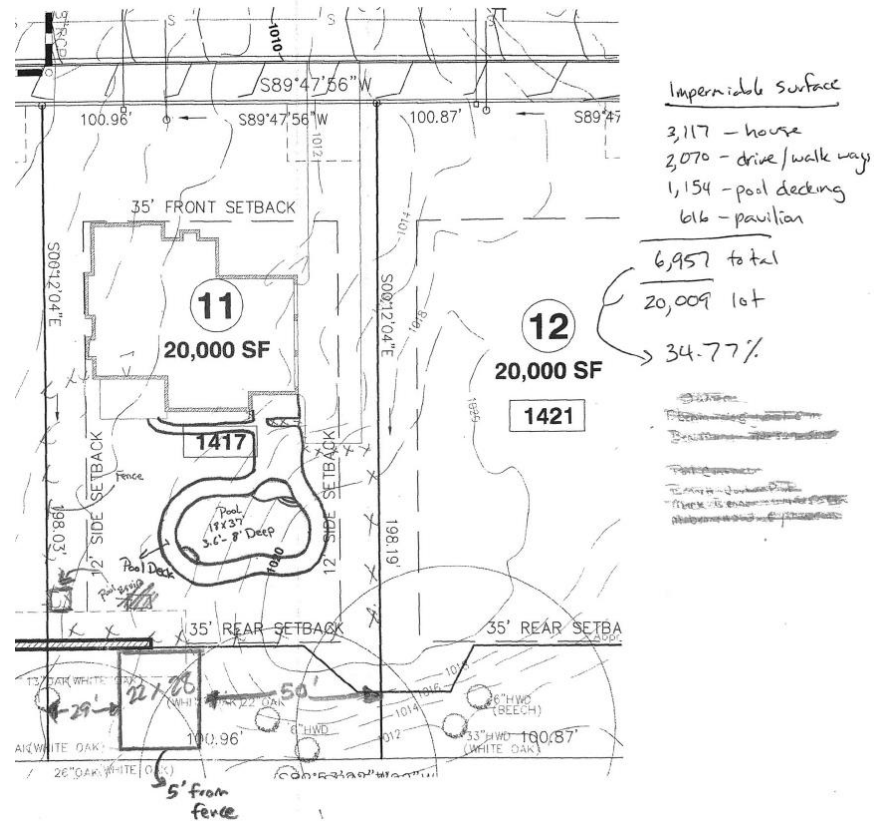
The applicant is requesting to deviate from the City's accessory structure ordinance to allow a second accessory structure. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances 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 requests against the variance review standards and found them to be in compliance with the review standards. Similar variances for additional accessory structures have been granted where approval would not impact adjacent properties. Community Development believes that the requested variance will not adversely affect surrounding residents. At the time of this report, Community Development has not received any phone calls in opposition to the variance request. Therefore, Community Development recommends **approval** of the requested variance with the following condition:

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

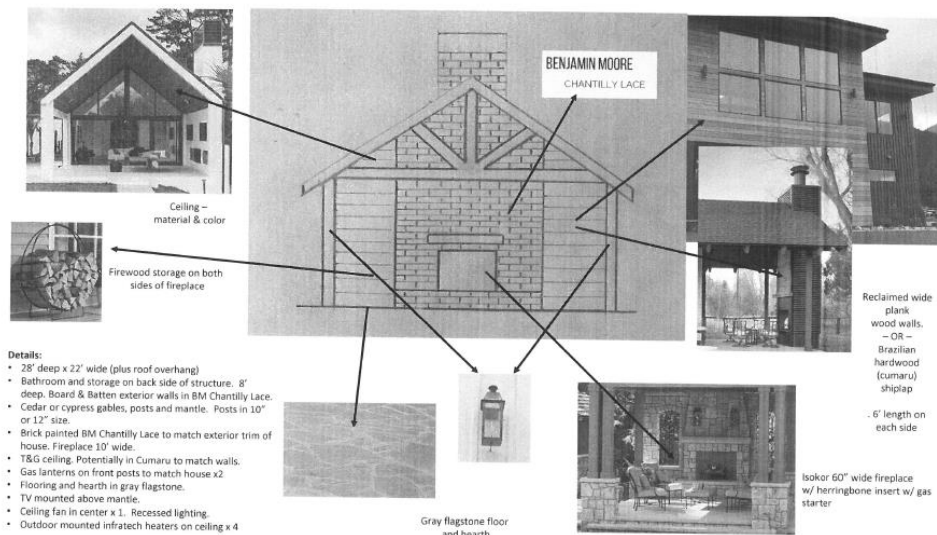
Figure – 1



## Figure – 2 Site Plan



**Figure – 2**  
**Building Elevation**



**Figure – 3**  
**Subject Property**



**Figure – 4**  
**Adjacent Property across Katherine Rose Lane**





**Figure – 5**  
**Adjacent Property to the East**



**Figure – 6**  
**Adjacent Property to the West**

