

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: September 22, 2017

RE: VARIANCE CASE V17-049
3596 Marion Street– Allow reduction of front setback from 35 feet to 27 feet for a front porch addition on an existing single family residence
VARIANCE CASE V17-050
3596 Marion Street – Approve non-conforming north side setback from 10 feet to 3 feet for the existing structure

BACKGROUND

The applicant is requesting a variance to reduce the front setback from 35 feet to 27 feet at 3596 Marion Street for a front porch addition to an existing single family residence. Staff also recommends formal approval of a non-conforming side setback reduction from 10 feet to 3 feet for the existing structure. Section 801 of the city's code of ordinance requires a front setback of 35 feet and side setback of 10 feet in the R-15 zoning district.

ANALYSIS

The subject parcel is located at the intersection of Hayes Drive and Marion Street (see Figure 1). The subject parcel is zoned R-15, and is occupied by a single-family residence. The adjacent properties to the north, south, east, and west are zoned R-15 and are developed with detached single family homes.

The applicant is proposing to build an front porch at an existing single family residence. The property is 0.37 acres and contains a 1175 sq. ft. home. The applicant proposes to remodel the existing home as well as increase the footprint by way of an addition. Also, the applicant proposes building a front porch on the structure. The front of the existing home is built on the front setback of 35 feet. Therefore, in order to build the porch a front setback reduction to 27 feet is required. Staff also acknowledges that the existing home has a non-conforming side setback being 3 feet from the north side property line, whereas the side setback requirement in R-15 is 10 feet. Thus, it would be appropriate to formally approve the side setback reduction at this time as well.

The location of the home on the subject property is a unique condition that limits how the existing home may be remodeled. While the applicant has made every attempt to design the

remodel home plan within the allowable building area, the addition of a front porch can only be constructed with approval of a front setback variance. Community Development believes the variance requested is the minimum variance needed to build the front porch and the addition will substantially improve the front façade. Community Development also recommends the Board formally approve the side setback reduction on the north side from 10 feet to 3 feet which includes only the existing non-conforming structure.

STAFF COMMENTS

The applicant is requesting to deviate from the City's front setback requirement of 35 feet and side setback requirement of 10 feet in the R-15 zoning district, found in section 801 of the Zoning Ordinance. 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 them to be in compliance with the review standards. Similar variances for additions have been granted, and 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 variances with the following condition:

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

Figure – 1
Aerial of Subject Property



Figure – 2
Subject Property



Figure – 3
Rear of Subject Property and Adjacent Property



Figure – 4
Adjacent Property



Figure – 5 Proposed Site Plan

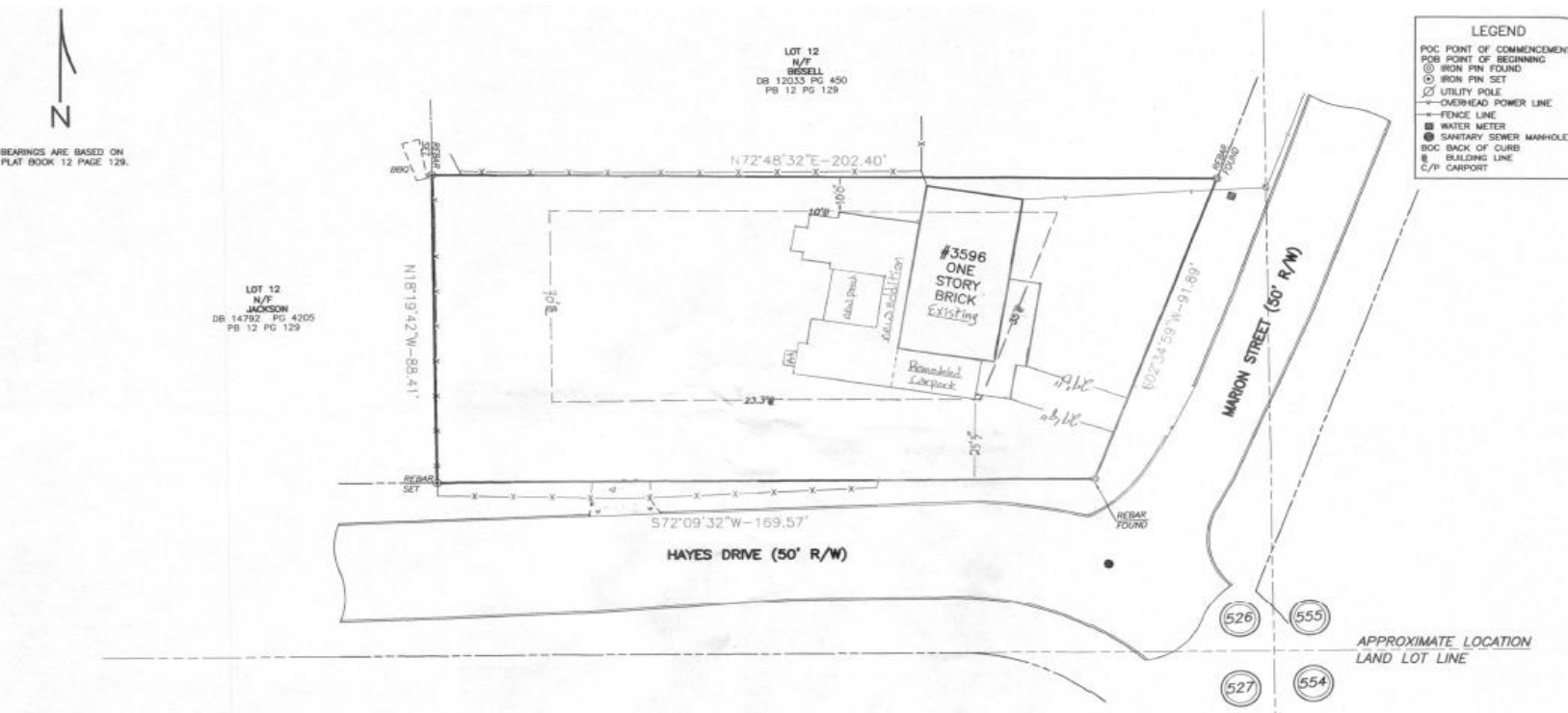


Figure – 6 As-Built Site Plan

