

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: July 13, 2021

RE: VARIANCE CASE V21-073
3463 Lee Street – Reduce the front setback from 35 feet to 23 feet for a detached carport

VARIANCE CASE V21-074
3463 Lee Street – Reduce the side setback from 12 feet to 8.2 feet for a detached carport

BACKGROUND

The applicant is requesting two variances to build a detached carport in the front of the home. Section 801 of the zoning ordinance requires a front setback of 35 feet and a side setback of 12 feet for R-20 lots.

ANALYSIS

The subject parcel is a 0.36-acre lot located on the southern intersection of Lee Street and Forest Drive (see Figure 1). The subject parcel and adjacent parcels to the south and east are zoned R-20. The adjacent parcel to the north is zoned R-15. The adjacent parcels to the west are zoned R-20 and R-15. The subject property and all adjacent properties are occupied by single-family residences.

The applicant is proposing to add a 360 square foot detached 2-car carport to the subject property. The carport is part of a larger renovation of the subject property, which acquired building permits and associated variances in 2020 (V20-010 & 011). As part of the renovation, the existing carport was enclosed to make additional living space for the home. With the enclosure, the subject property no longer has any covered parking on the property.

The proposed carport will be fully open on all sides and match the current exterior of the home. To access the new structure, the applicant will be using the existing driveway off Lee Street. The carport will be at the back of the existing driveway, which is currently 8.2 feet from the side property line. The carport will be encroaching into the side setback, but no more than the existing driveway.

The existing home sits catty-corner on the corner property, pushed to the rear of the property with a large front yard. According to Section 402.35, the front yard of the property is deemed the

VARIANCE CASE V21-073 & 074

July 13, 2021

Page 2 of 5

side with the least road frontage, in this case, the Lee Street side since it is smaller by 3.73 feet. This means that the front yard on this side is considered 35 feet. If it were considered the streetside, the setback would be 23.3 feet and the encroachment would only be 0.3 feet into the setback.

Community Development believes the variances requested are the minimum variances needed to create covered parking on the property. The variances proposed should have no negative impact on adjacent properties and since the proposed carport will use the existing concrete driveway, there should be minimal land disturbance.

STAFF COMMENTS

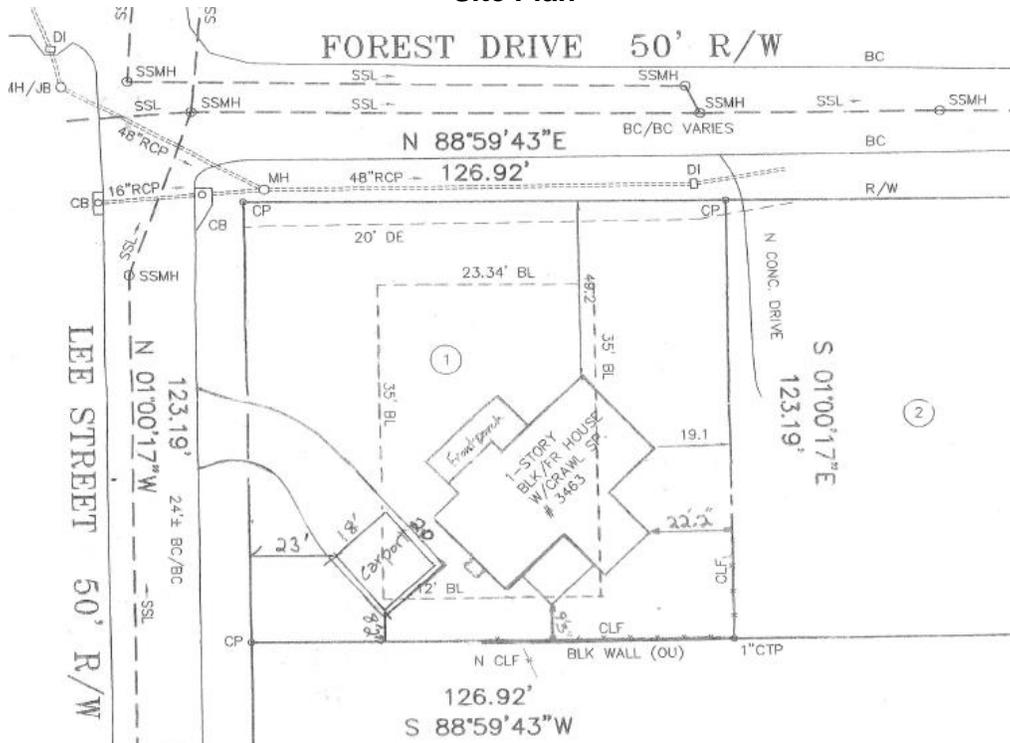
The applicant is requesting to deviate from the development standards established by the City for the R-20 zoning district, which requires a minimum front yard setback of 35 feet and a side setback of 12 feet. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following 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 encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following condition:

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

Figure – 1



**Figure – 2
Site Plan**



**Figure – 3
Elevations**



Figure – 4
Subject Property



Figure – 5
Adjacent Property across Forest Drive



Figure – 6
Adjacent Property across Lee Street



Figure – 7
Adjacent Property to the South

