

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: March 15, 2021

RE: **VARIANCE CASE V21-026**
1607 Walker Street – Allow impervious surface area to increase from 45% to 48.8%

BACKGROUND

The applicant is seeking a variance to increase the impervious surface area from 45% to 48.8% to allow for the construction of a new swimming pool on the subject property. Section 801 sets the maximum impervious surface area in the RDA zoning district.

ANALYSIS

The subject parcel is a 0.17-acre lot located on the north side of Walker Street (see Figure 1). The subject parcel and adjacent parcels to the east and west are zoned RDA and are occupied by single-family homes. The adjacent properties to the south are zoned RDA and RTD and are occupied by a single-family home and a duplex, respectively. The adjacent properties to the north are zoned RM-10 and are occupied by duplexes.

The applicant is proposing to build a 465 square foot in-ground pool with spa in the rear of the property. Due to the proposed swimming pool and size of the lot, the impervious surface area will be above the allowable 45% by 3.8%. To offset the increase in impervious surface area, the applicant is proposing a mitigation plan involving a gravel trench in the far rear of the property. This gravel trench will replace the existing gravel trench currently in the northwest corner of the property and accounts for the increase in impervious surface area. The City Engineer has reviewed the mitigation plan and is supportive of the variance with the stipulation that #6 and #7 shown on the mitigation plan's water quality notes is completed prior to building permit issuance. According to the submitted mitigation plan, water quality note #6 reads, "Contractor to perform soil boring in center of stormwater management basin to verify seasonal high water table meets minimum two (2) foot separation between bottom of soil media and seasonal high water" and water quality note #7 reads, "Contractor to provide a percolation test to verify water absorption rate of native soil has a minimum infiltration rate of 0.5 in/hr or more".

The subject property is currently buffered from adjacent properties by an existing wooden five-foot privacy fence. Due to the existing privacy fence, Community Development believes the proposal will not adversely impact adjacent properties. Community Development believes the variance is the minimum variance needed to construct a swimming pool in the rear of the property.

STAFF COMMENTS

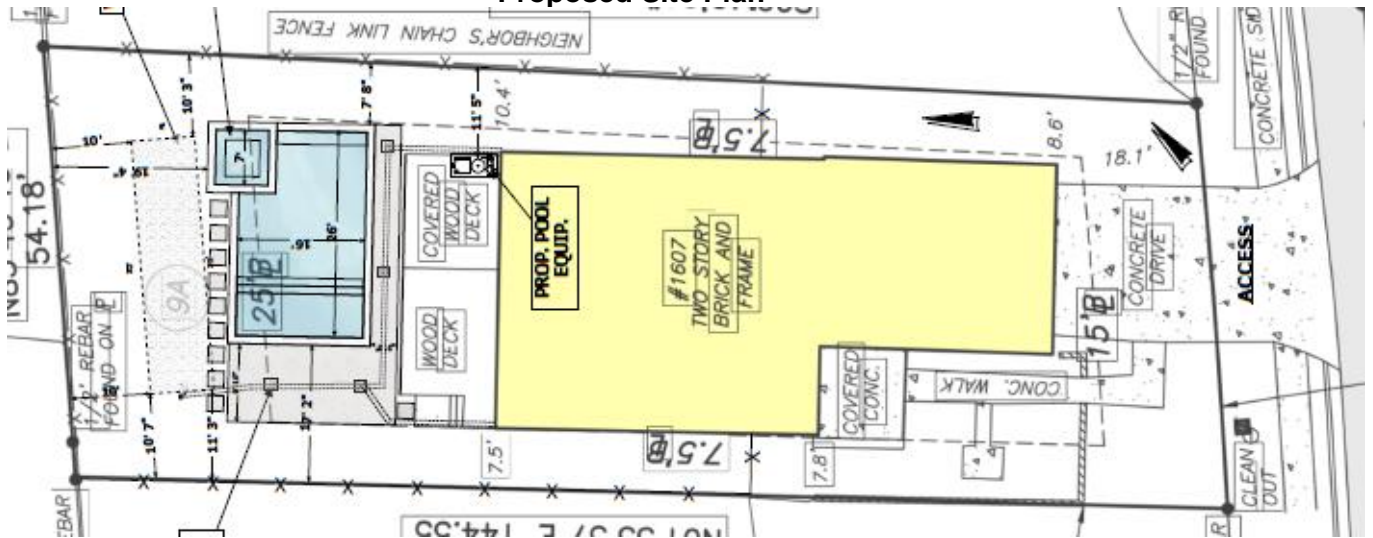
The applicant is requesting to deviate from the development standards established by the City to increase the impervious surface area from 45% to 48.8%. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special 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 increased impervious coverage will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following conditions:

1. Approval is conditioned upon substantial compliance with the site plan submitted with the variance application.
2. The applicant shall complete items #6 and #7 shown on the mitigation plan's water quality notes prior to building permit issuance.
 - a. Water Quality Note #6: Contractor to perform soil boring in center of stormwater management basin to verify seasonal high water table meets minimum two (2) foot separation between bottom of soil media and seasonal high water.
 - b. Water Quality Note #7: Contractor to provide a percolation test to verify water absorption rate of native soil has a minimum infiltration rate of 0.5 in/hr or more.
3. The applicant shall submit a plat revision for recording, reflecting the new location of the stormwater detention facility prior to the final inspection.

Figure - 1



Figure - 2
Proposed Site Plan



**Figure – 3
Subject Property**



**Figure – 4
Adjacent Property to the East**



Figure – 5
Adjacent Property to the West



Figure – 6
Adjacent Property across Walker Street

