



# City of Smyrna

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## Issue Sheet

File Number: 2021-069

Agenda Date: 2/24/2021

Version: 1

Status: ATS Review

In Control: License and Variance Board

File Type: Variance Request

Agenda Number: B.

**WARD / COUNCILMEMBER:** Ward 3 / Travis Lindley

**\$ IMPACT:** N/A

### Agenda Title:

**Public Hearing** - V21-011 - Reduce side setback from 10 feet to 9 inches for an accessory structure - Land Lot 453 - 957 Sharon Circle - Sylvia Zenteno-Booker

**ISSUE AND BACKGROUND:** The applicant is requesting two variances at 957 Sharon Circle to extend the existing shed in her rear yard: reduce the accessory structure rear setback from 5 feet to 2.6 feet reduce the side setback from 10 feet to 9 inches for the accessory structure. The regulations pertaining to accessory structures and uses are located in Section 501 of the Zoning Ordinance and the development standards established by the City for the R-15 zoning district require a minimum side setback of 10 feet.

**RECOMMENDATION / REQUESTED ACTION:** The applicant is requesting to deviate from the City's accessory structure requirements established in Section 501 and the side setback standard of the R-15 zoning district. 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 the four (4) standards. At the time of this report, no opposition has been made to Community Development from neighboring properties. Community Development recommends **approval** of the requested variance with the following stipulation:

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