

City of Smyrna

2800 King Street
Smyrna, Georgia 30080



Meeting Minutes

Wednesday, June 13, 2018

10:00 AM

Council Chambers

License and Variance Board

1. Roll Call

Meeting Reconvened

Present: 3 - Roy Acree, Mary Moore and Eric Randall

Also Present: 2 - Elsa Thompson and Joey Staubes

2. Call to Order

The meeting of the License and Variance Board was called to order by Boardmember Roy Acree at 10:01am.

3. Business

A. Public Hearing - Variance Request - V18-044 - Allow side setback reduction from 12 feet to 8 feet for an attached garage addition to a single family residence - 1.15 acres - Land Lot 555 - 1375 Twin Oaks Circle - Charles Spencer

Boardmember Roy Acree called applicant, Charles Spencer to come forward. Mr. Acree asked Mr. Spencer to give a brief overview of his project and address Items 3A and 3B, since they both were his requests but advised that they would be voted on separately.

Mr. Spencer advised that this was his residence and noted that he would like to expand his home. (inaudible)

Mr. Acree called Community Development Planner Joey Staubes to the podium. Mr. Staubes advised that the applicant submitted a variance request to allow a side setback reduction from 12 feet to 8 feet for an attached garage addition to a single family residence. He noted that the property was approximately 1.15 acres and was zoned r20. He advised that the existing structure was pushed deep into the lot and to the side. Mr. Staubes stated that the side where the garage would be already had some impervious materials and noted that the corner of the new structure would be about 8 feet from the side property line and only the front corner would encroach on the side setback. Staff had analyzed the request, had not heard any objections from surrounding properties and recommended approval with two conditions; Mr. Staubes noted that the second condition applied to the second request:

- 1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan submitted with the variance application.*
- 2. Prior to issuance of building permit, the applicant shall designate an area outside of the impervious setback, and equal to the area of the garage, to remain impervious.*

There were no questions from the Board although Boardmember Eric Randall advised that he had questions for the second request when addressed.

Mr. Acree asked Mr. Spencer if he accepted the condition as stated, he advised that

he did.

The Public Hearing was announced. No one came forward.

Mr. Acree stated that only the applicant and City staff were present for the record.

After no further discussion, Mr. Acree called for a motion.

A motion was made by Boardmember Mary Moore to approve Variance Request V18-044 to allow side setback reduction from 12 feet to 8 feet for an attached garage addition to a single family residence on 1.15 acres in Land Lot 555 located at 1375 Twin Oaks Circle by applicant Charles Spencer; seconded by Boardmember Eric Randall.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Eric Randall

B. **Public Hearing** - Variance Request - V18-045 - Allow encroachment into the City's 75 ft. Impervious Surface Setback - 1.15 acres - Land Lot 555 - 1375 Twin Oaks Circle - Charles Spencer

Mr. Acree asked Mr. Spencer to return to the podium and asked if he had any additional comments. Mr. Spencer wanted to remind the Board that the home was a 1950s structure, built prior to the impervious setback ordinances being set. He noted that although he wanted to modernize the home to his standards, he did not want to tear it down and rebuild it because he wanted to preserve the character of the home in order to be respectful of Smyrna's history.

Mr. Randall inquired if Mr. Spencer had any plans for additional work behind the home. Mr. Spencer stated that there was an existing fire pit and that he had no plans for any other additions. Mr. Randall advised Mr. Spencer that once he's applied for his permit, he would be requesting that the application come to the engineer's office for review. He advised that he would like buffers referenced in the plans as they currently were not included. Mr. Randall also noted that he would be looking for a revised plat that will have been filed with the County as well.

Mr. Acree clarified what Mr. Randall was saying to the applicant.

Mr. Randall stated that another element he would be looking for in the application would be the gutters and roof drains.

There were no further questions or comments from the Board.

Mr. Staubes returned to the podium with no additional comments but reiterated that this variance request applied to the proposed garage and addition to right side of the home. Staff recommended approval with two conditions.

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

2. Prior to issuance of building permit, the applicant shall designate an area outside of the impervious setback, and equal to the area of the garage, to remain impervious.

Mr. Staubes inquired if there needed to be a 3rd condition added.

Mr. Acree and Mr. Randall advised that it was not needed.

Mr. Acree asked Mr. Spencer if he accepted the conditions as stated, he advised that he did.

The Public Hearing was announced. No one came forward.

Mr. Acree reiterated that only the applicant and City staff were present for the record.

After no further discussion, Mr. Acree Jones called for a motion.

A motion was made by Boardmember Eric Randall to approve Variance Request V18-045 to encroachment into the City's 75 foot impervious surface setback on 1.15 acres in Land Lot 555 located at 1375 Twin Oaks Circle by applicant Charles Spencer; seconded by Boardmember Mary Moore.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Eric Randall

C. Public Hearing - Variance Request - V18-046 - Allow reduction of side setback from 10 feet to 1 foot for a carport addition to a single family residence - 0.31 acres - Land Lot 778 - 2474 Spring Drive - Thomas DeSousa

A motion was made by Boardmember Mary Moore to table Variance Request V18-046 to allow a reduction of the side setback from 10 feet to 1 foot for a carport addition to a single family residence on 0.31 acres in Land Lot 778 located at 2474 Spring Drive by applicant Thomas DeSousa; seconded by Boardmember Eric Randall. This item will be tabled to the June 27, 2018 License and Variance Board Meeting.

The motion to table carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Eric Randall

4. Approval of Minutes:

A. Approval of the May 23, 2018 License and Variance Board Meeting Minutes

A motion was made by Boardmember Eric Randall to approve the May 23, 2018 License and Variance Board Meeting Minutes; seconded by Boardmember Mary Moore.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Eric Randall

5. Adjournment

Boardmember Roy Acree adjourned the meeting of the License and Variance Board at 10:21am.