

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Ken Suddreth, Director of Community Development
Russell Martin, AICP, Senior Planner

Date: May 14, 2019

CC: Planning and Zoning Board
Tammi Saddler-Jones, City Administrator

RE: Plat Approval with Variance – 3813 North Cooper Lake Road

Applicant: Charles A. Welch

Existing Zoning: R-15

Titleholder: Charles A. Welch

Proposed Zoning: R-15

Size of Tract: 2.4 Acres

Location: 3813 North Cooper Lake Road

Contiguous Zoning:

Land Lot: 384

North R-15

South R-15

East R-15

West R-20

Ward: 4

Access: North Cooper Lake Road &
Austin Drive

Hearing Dates:

P&Z May 13, 2019

Mayor and Council May 20, 2019

Existing Improvements: One Single-Family Home and
Accessory Building

Proposed Use:

The platting of one lot at 3813 North Cooper Lake Road into five new single-family residential lots.

P&Z Board Recommendation: **Approval** by vote of 7-0.

Staff Recommendation:

Approval of the proposed plat with variances for the reduction of the stream buffer and side setback.



STAFF COMMENTS

Charles A. Welch is requesting approval to subdivide the existing lot with a single-family home and an accessory structure into five residential lots at 3813 North Cooper Lake Road. The subject property is currently comprised of one lot of record fronting on North Cooper Lake Road (See Zoning Vicinity Map). The applicant is requesting to demolish the existing single-family home and save the accessory building and convert it to a dwelling unit on the proposed lot #1 (See Preliminary Plat). The existing accessory structure is within nine feet of the adjoining property to the north and will need a variance for the encroachment into the required 10' side setback. The proposed plat reflects a stormwater detention facility at the northeast corner of the property, which will be located on its own lot of record and will be maintained by the subdivision HOA. The wall of the proposed detention facility is located within the 50' undisturbed stream buffer and will require a variance to reduce the city's stream buffer requirement from 50' to 25'. Finally, the applicant is proposing to take a small portion of the subject property along the eastern property line and combine it with his property at 870 Austin Drive.

The subject property is 2.4 acres in size and is zoned R-15 (single-family residential). The proposed subdivision will result in five new residential lots, with one lot fronting on North Cooper Lake Road and the other four lots fronting on Austin Drive. The proposed lot sizes range between 15,037 sq. ft. and 26,225 sq. ft. with a lot width of 85'. The five proposed residential lots meet all the minimum zoning requirements of the R-15 zoning district. Table 1 below shows a comparison of the proposed lots to the R-15 zoning district (Section 801 of the Zoning Ordinance).

Table 1: Lot Requirements for R-15 Zoning District vs. Proposed Lots

	Min. Lot Size (Square Feet)	Min. Lot Width at Setback Line	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Height	Max. Lot Coverage (percent)	Min. Square Footage
R-15 Zoning District	15,000	85'	35'	10'	30'	35'	35	2,000
Proposed Lots	15,037	85'	35'	10'	30'	35'	35	2,000

The proposed platting of the lots will require two variances:

1. Reduction in the undisturbed stream buffer from 50' to 25'; (**Staff Support**) and
2. Reduction of the minimum side setback from 10' to 9' for the existing accessory building. (**Staff Support**)

The requested variances are for the location stormwater detention facility to manage stormwater run-off for the site and to formally correct an existing encroachment with respect to the accessory building. The City Engineer has reviewed the requested stream buffer encroachment and is supportive of the stream buffer variance. The City Planners have reviewed the requested side setback variance and are supportive of the variance because it formally corrects an existing non-conforming issue.

STAFF RECOMMENDATION

The Planning and Zoning Board heard the request for plat approval at the May 13, 2019 meeting and made a recommendation for approval by vote of 7-0.

Community Development has reviewed the proposed subdivision plat against the requirements of the R-15 zoning district. The variances are necessary for the location of the stormwater detention facility and the correction of a non-conforming issue. The subject property will maintain an R-15 zoning classification and will not increase the density above what is currently allowed. Community Development recommends **approval** of the proposed subdivision plat of 3813 North Cooper Lake Road with the requested variances.

Subject Property



Plat Approval with Variances – 3813 North Cooper Lake Road
May 14, 2019
Page 4 of 6



Adjacent Properties



