

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

From: Ken Suddreth, Community Development Director
Joey Staubes, AICP - Planner II

Date: July 6, 2018

RE: VARIANCE CASE V18-051
3446 Lee Street – Allow reduction of front setback from 23 feet to 15 feet for addition to a single family residence.

BACKGROUND

The applicant is requesting a variance to reduce the front setback on Daniell Drive to 15 feet at 3446 Lee Street for the purpose of constructing an addition to a single family home. The minimum front setback along Daniell Drive is 23 feet based upon the standards associated with Section 801 and 1202 of the Zoning Code. The existing home is non-conforming with a front setback of 17 feet along Daniell Drive. The subject parcel is a corner lot with a primary front setback of 35 feet along Lee Street, and a secondary front setback along Daniell Drive of 23 feet.

ANALYSIS

The subject parcel is located at the intersection of Lee Street and Daniell Drive (See Figure 1) and has frontage on both roads. The subject parcel is zoned R-15, and is occupied by a single-family residence. The adjoining properties to the north, south, east and are zoned R-15, while the property to the west is zoned R-20; all are occupied with single-family homes.

The existing home on the subject property was built in 1958, and is approximately 1,331 sq. ft. The home was built prior to the adoption of current setback requirements, and has a non-conforming front setback along Daniell Drive of 17 feet. The applicant is proposing to construct an addition to the non-conforming side of the home along Daniell Drive and continue the existing building line. The subject property was previously approved for a six foot wooden privacy fence along Daniell Drive, thus the addition will be screened from the road by the fence and existing vegetation.

The hardship is not self-created, as the orientation and placement of the home has not changed since it was originally constructed. The variance requested is the minimum variance needed to

construct the addition. Community Development believes the addition should have no negative impact on adjacent properties.

STAFF COMMENTS

The applicant is requesting to deviate from the City's minimum front setback (Section 801 and 1202) at 3446 Lee Street. 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. At the time of this report Community Development has not received any opposition regarding the request. Therefore, Staff recommends **approval** of the requested variance 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 submitted with the variance application.

Figure – 1
Aerial of Subject Property



Figure – 2
View of subject property



Figure – 3
Adjoining Property



Figure – 4
Subject Property along Daniell



Figure – 5
Site Plan

