



# City of Smyrna

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## Issue Sheet

File Number: 2020-461

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**Agenda Date:** 11/16/2020

**Version:** 1

**Status:** ATS Review

**In Control:** City Council

**File Type:** Appeal

**Agenda Number:** D.

**WARD / COUNCILMEMBER:** Ward 6 / Councilmember Gould

**\$ IMPACT:** N/A

**Public Hearing** - Appeal of variance approval - 0.90 acres - Land Lot 557 - 1460  
Memory Lane - CMS Custom Homes, LLC

### **ISSUE AND BACKGROUND:**

CMS Custom Homes, LLC is seeking approval for a reduction in minimum lot size at 1460 Memory Lane for the development of two single-family detached residences at a density of 2.22 units per acre. The proposed lots will be 19,463 sq. ft. and 19,594 sq. ft. The subdivision was created in 1951 and the subject property was originally two lots (Lot #11 & #12 of the FM Collier Subdivision). The subject property was annexed into the city in 2001, and the R-20 zoning designation was applied to the subject property, even though the lots were below the minimum 20,000 sq. ft. lot area requirement, making the lots non-conforming lots under the R-20 zoning district.

The License and Variance Board held a public hearing for the variance and recommended approval by a vote of 3-0 at the October 14, 2020 meeting. An appeal was filed by adjacent property owners on October 23, 2020.

**RECOMMENDATION / REQUESTED ACTION:** Community Development is supportive of the variance request for reduction of minimum lot size from 20,000 sq. ft. to 19,463 sq. ft. Staff feels comfortable that this will not create a future precedent due to this property previously being two recorded lots of record and tying approval of the request to the specific site plan. Therefore, Community Development recommends **approval** of the variance request for reduction of minimum lot size for the development of two single-family units at a density of 2.22 units per acre with the following condition:

1. Approval is conditioned upon substantial compliance with the site plan and elevations submitted on September 2, 2020.