



City of Smyrna

City of Smyrna
City Hall
2800 King Street
Smyrna, GA 30080
770-434-6600
www.smyrnacity.com

Issue Sheet

File Number: 2021-014

Agenda Date: 1/27/2021

Version: 2

Status: ATS Review

In Control: License and Variance Board

File Type: Variance Request

Agenda Number: A.

WARD / COUNCILMEMBER: Ward 7 / Lewis Wheaton

\$ IMPACT: N/A

Agenda Title:

Public Hearing - V21-005 - Allow encroachment into 75-foot impervious surface area setback - Land Lot 537 - 1254 Grand View Drive - Brian & Allison Wray

ISSUE AND BACKGROUND: The applicant is requesting a variance to allow encroachment into the City's 75-foot impervious setback to allow for the construction of a new swimming pool and hot tub at 1254 Grand View Drive. The City's stream buffers are controlled by Chapter 46, Article VI.

RECOMMENDATION / REQUESTED ACTION: The applicant is requesting relief from the City's 75-foot impervious setback to install a pool and spa in the rear yard. 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 four (4) of the four (4) standards. At the time of this report, Community Development has not received any calls in opposition to the request. After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following conditions:

1. Approval is conditioned upon substantial compliance with the site plan submitted with the variance application.
2. An Inspection and Maintenance Agreement must be completed and filed with Cobb County prior to issuance of a pool permit.