



# City of Smyrna

City of Smyrna  
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## Issue Sheet

File Number: 2021-408

Agenda Date: 9/20/2021

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Authorization

Agenda Number: D.

**WARD / COUNCILMEMBER:** Ward 3 / Councilmember Lindley

**\$ IMPACT:** N/A

### Agenda Title:

**Public Hearing** - Appeal the denial by the License and Variance Board for Variance Request V21-080 - Reduce the side set back from 5 feet to 2.8 feet - Land Lot 589 - 2674 Grady Street - Montrell Coleman by Montrell Coleman who resides at 2674 Grady Street SE, Smyrna, Ga. 30080 as filed with the City Clerk's office on Tuesday, August 17, 2021 at 4:32PM via electronic email.

### **ISSUE AND BACKGROUND:**

The applicant is requesting two variances: to reduce the rear and side setback for an accessory structure at 2674 Grady Street. Section 501 of the City's Zoning Ordinance requires an accessory structure rear setback 5 feet. The side setback of 5 feet is required per the zoning stipulations associated with the Grady Street subdivision, platted in 2019.

This is a new home, completed in December 2020, on a graded lot that has no preexisting conditions that would create special circumstances nor extraordinary conditions to merit a required variance. The lot is a flat, rectangular lot with no lot geometry issues, topographical issues, nor environmental or site constraints. The hardship is self-created since the shed could easily be shifted over a couple feet to meet code. Strict application of the Zoning Code would not deprive any reasonable use of the property since a different location would allow for the shed that complies with the zoning requirements of the lot. Finally, the proposed variance is not the minimum variance needed because the shed can be moved to meet the minimum zoning requirements.

Community Development recommended **denial** of the rear and side setback requests. In addition, at the time of the original variance request, Community Development received two phone calls in opposition to the variance request.

The variance requests were denied by a vote of 3-0 at the August 11, 2021 meeting of the License and Variance Board. The applicant, Montrell Coleman of 2675 Grady Street, has appealed that decision.

**RECOMMENDATION / REQUESTED ACTION:** Staff requests Mayor and Council hold a public hearing per Section 1400 of the Smyrna Code to review the Appeal as described.

