

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director
Caitlin Crowe, Planner I

Date: April 13, 2021

RE: VARIANCE CASE V21-041
3945 Green Forest Lane – Reduce side setback from 10 feet to 7 feet for a detached garage

VARIANCE CASE V21-042
3945 Green Forest Lane – Allow second accessory structure

BACKGROUND

The applicant is requesting two variances at 3945 Green Forest Lane to build a new detached 2-car garage. The variance requests are to reduce the side setback from 10 feet to 7 feet and allow an additional accessory structure. The regulations pertaining to accessory structures and uses are located in Section 501 of the Zoning Ordinance. Section 801 requires a side setback of 10 feet for lots zoned R-15.

ANALYSIS

The subject parcel is a 0.29-acre lot located at the southeast side of Green Forest Lane, near the intersection of Green Forest Lane and Lake Drive (see Figure 1). The subject parcel and all adjacent properties are zoned R-15 and are all occupied by detached single-family residences.

The property consists of a 2,520 square foot single-family home and an existing 320 square foot shed structure located in the rear yard. The existing shed in the rear yard is used primarily for storage. The applicant is requesting a variance to construct a new 504 square foot 2-car garage at the end of an existing driveway, which is currently seven feet off the side property line. Since the driveway is more than five feet from the side property line, no additional driveway setback variance is required. Additionally, the adjacent building to the southwest is more than 10 feet from the proposed detached garage, thus no fire suppression system is required for the detached garage.

Due to the existing concrete driveway, the proposed location of the garage within the side setback at the end of the existing driveway will decrease disturbance to the subject property and surrounding neighbors. Strict application of the ordinance would deny the applicant the ability to add covered parking area over the existing driveway due to the current encroachment. The hardship is not self-created since the driveway has historically existed in the same location and within seven feet of the property line.

STAFF COMMENTS

The applicant is requesting to deviate from the City's accessory structure requirements established in Section 501 and the side setback standard of the R-15 zoning district. 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 the four (4) standards. Community Development recommends **approval** of the requested variance with the following stipulation:

1. Approval of the subject property for the requested variance shall be conditioned upon substantial compliance with the site plan and elevation submitted with the variance application.

Figure – 1



Figure - 2
Site Plans

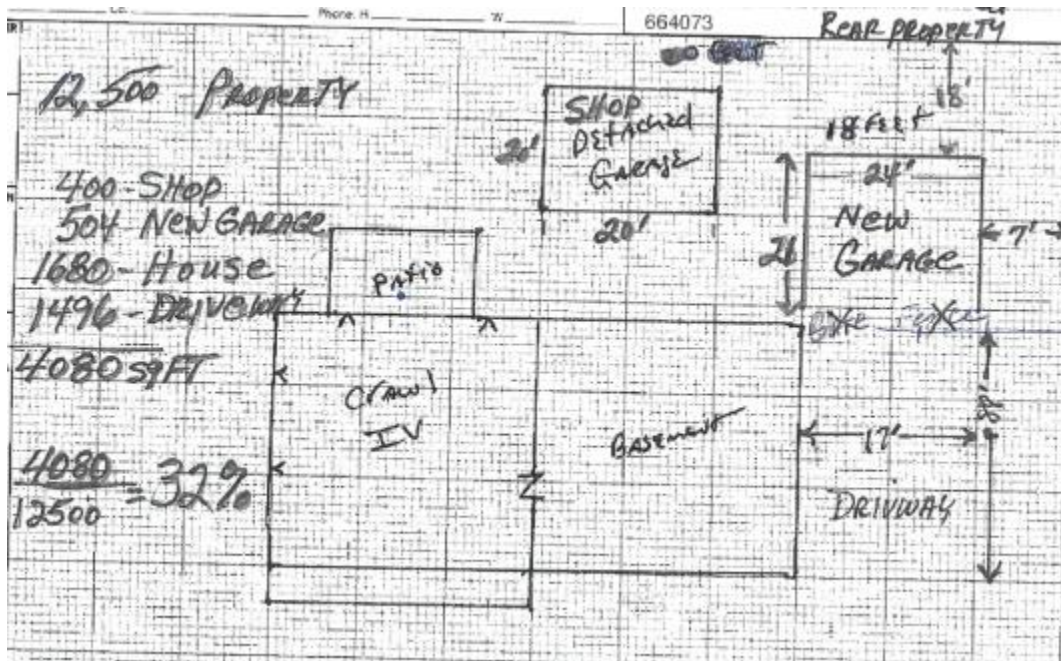
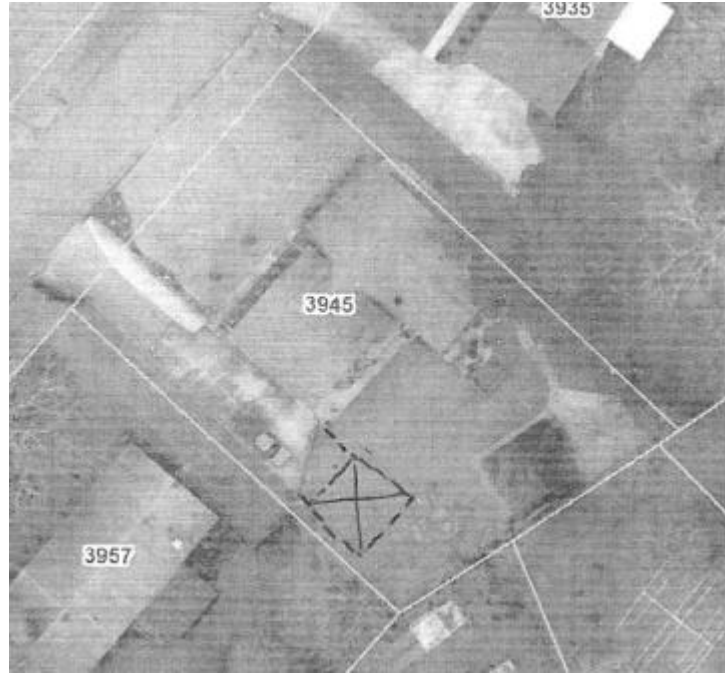


Figure – 3
Proposed Garage Elevation



Figure – 4
Subject Property



Figure – 5
Location of Proposed Garage



Figure – 6
Adjacent Property across Green Forest Lane



Figure – 7
Adjacent Property to the Southwest



Figure – 8
Adjacent Property to the Northeast

