

MEETING OF June 11, 2014

WARD/COMMITTEE 3

ITEM NUMBER V14-020 & 021

\$ IMPACT N/A

ISSUE: Variance request to decrease the required parking requirement from 40 spaces to 29 spaces, and to reduce the north side setback from 10 feet to 0 feet at 1669 Spring Road.

SUMMARY: The applicant is proposing to cover and enclose outdoor seating at an existing restaurant. The applicant is requesting a parking reduction of 11 spaces, and a side setback reduction of 10 feet.

BACKGROUND: None.

STAFF RECOMMENDATION: The applicant is requesting to decrease the required parking from 40 spaces to 29 spaces, and to reduce the side setback from 10 feet to 0 feet. 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. After a review of the standards above Community Development staff recommends **approval** of the requested variances with the following conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.
2. Appropriate gutters and downspouts will be installed to divert stormwater away from adjacent property, prior to final inspection.

REQUESTED ACTION: The License and Variance Board hold a public hearing per Section 1400 of the City of Smyrna Zoning Ordinance.