



City of Smyrna

City of Smyrna
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Issue Sheet

File Number: 2021-218

Agenda Date: 6/7/2021

Version: 1

Status: ATS Review

In Control: City Council

File Type: Variance Request

Agenda Number: E.

WARD / COUNCILMEMBER: Ward 3 / Travis Lindley

\$ IMPACT: N/A

Agenda Title:

Public Hearing - V21-051 - Side setback reduction from 10 feet to 4 feet from an accessory structure - Land Lot 489 - 2631 Brown Circle - Zoe Bayley

ISSUE AND BACKGROUND: The applicant is seeking to reduce the side setback from 10 feet to 4 feet to allow for the construction of a new storage shed as well as reducing the driveway setback from 5 feet to 1 foot to replace the existing gravel driveway with a concrete driveway. Section 801 of the Zoning Ordinance sets the setback requirements in the R-15 zoning district.

RECOMMENDATION / REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by the City for a side setback reduction from 10 feet to 4 feet and a driveway setback reduction from 5 feet to 1 foot. 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. After a review of the standards above, Community Development believes that the encroachments will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following conditions:

1. Approval of the subject property for 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.