



Meeting Minutes - Final
License and Variance Board

Wednesday, January 27, 2021

10:00 AM

Community Center - Large Gym

Smyrna Community Center Large Gym / 200 Village Green Circle SE
Parking and entrance to meeting on Powder Springs Street Side of Building
MASKS REQUIRED / TEMPERATURE WILL BE CHECKED

1. **Roll Call**

Present: 3 - Roy Acree, Frank Martin and Mary Moore

Also Present: 0

Staff: 2 - Caitlin Crowe and Tina Monaghan

2. **Call to Order**

Chairperson Roy Acree called the January 27, 2021 License and Variance Board meeting to order at 10:02 AM.

3. **Business**

A. **[2021-014](#)**

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

Applicant Mr. Brian Wray was in attendance via telephone due to COVID restrictions currently in place.

Ms. Caitlin Crowe, Community Development Planner I, presented the background information for the request. 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.

Mr. Wray had no additional information to offer and agreed to all stipulations set forth.

Chairperson Acree announced the public hearing and no one was present to speak.

Boardmember Frank Martin made a motion to approve V21-005 - Allow encroachment into 75-foot impervious surface area setback - Land Lot 537 - 1254 Grand View Drive - Brian & Allison Wray. Boardmember Mary Moore seconded the motion.

The motion to approve was carried by the following vote:

Aye: 3 - Roy Acree, Frank Martin and Mary Moore

B. [2021-025](#)

Public Hearing - V21-006 - Reduce rear setback from 30 feet to 23 feet - Land Lot 526 - 1335 Cliffwood Drive - Jarrett King

The request is to be tabled to the February 10, 2021 License and Variance Meeting at the request of the applicant.

Boardmember Mary Moore made a motion to table Public Hearing - V21-006 - Reduce rear setback from 30 feet to 23 feet - Land Lot 526 - 1335 Cliffwood Drive - Jarrett King to the February 10, 2021 License and Variance Meeting at the request of the applicant. Boardmember Frank Martin seconded the motion.

The motion to table was carried by the following vote:

Aye: 3 - Roy Acree, Frank Martin and Mary Moore

4. Approval of Minutes:

A. [2021-022](#)

Approval of the January 13, 2021 License and Variance Board Meeting minutes.

Boardmember Frank Martin made a motion to approve the January 13, 2021 License and Variance Board Meeting minutes. Boardmember Mary Moore seconded the motion.

The motion to approve was carried by the following vote:

Aye: 3 - Roy Acree, Frank Martin and Mary Moore

5. Adjournment

Chairperson Roy Acree adjourned the January 27, 2021 License and Variance Board meeting at 10:09 AM.