

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: January 19, 2021

RE: VARIANCE CASE V21-006
1335 Cliffwood Drive – Rear setback reduction from 30 feet to 20 feet

BACKGROUND

The applicant is requesting to reduce the rear setback from 30 feet to 20 feet to create an addition to an existing single-family home at 1335 Cliffwood Drive. The development standards established by the City for the R-15 zoning district require a rear setback of 30 feet. At the February 24, 2021 License and Variance Board Meeting, the request was deferred to the March 15, 2021 Mayor and Council Meeting.

ANALYSIS

The subject parcel is a 0.44-acre lot located on the northeast of the intersection of Hayes Drive and Cliffwood Drive (see Figure 1). The subject property and all adjacent properties are zoned R-15 and are all occupied with single-family detached homes.

The applicant is proposing to build a 1,600 square foot two-story addition functioning as a two-car garage and “mother-in-law suite” with a covered walkway leading to the main house. There will be no door openings on the Hayes Drive side of the structure with the exception of the garage door. Per the applicant, the addition is to be used by the applicant’s family members only. The addition will have a two-car garage and kitchenette on the first floor; on the second floor will be one bedroom, one bathroom, an office, and a laundry room. There will not be a stove included in the addition, so a variance for a second kitchen is not warranted. The addition will have a combination of hardiplank, board and batten, and/or brick exterior, painted to match the existing home.

The existing home sits catty-corner on the property, pushed to the northern edge of the property with a large front yard. According to Section 402.35, the front yard of the property is deemed the side with the least road frontage, in this case, the Cliffwood Drive side since it is smaller by 38 feet. Due to the orientation of the existing structure on the property and the existing layout of the home, the most logical area to put a garage is in the rear of the property, off of Hayes Drive. The new garage addition will also be angled to match the existing geometry of the home to continue the home’s aesthetic from the road front to attempt to lessen any disturbance to the surrounding neighbors.

The subject property currently has two curb cuts on the property, both off Cliffwood Drive, creating a circular driveway. To access the new garage addition, the applicant will be creating a new driveway off of Hayes Drive, roughly 6 feet from the property line. The City Engineer has reviewed the placement of the new driveway and has no issues with the location. To make way for the driveway and addition, an existing non-conforming 6-foot wooden fence will be removed while the existing 91 square foot shed will be moved to new location further in the rear of the property, which will maintain a 5-foot rear setback.

The adjacent building to the west will exceed the minimum 10 feet of separation from the subject property, thus no fire suppression system is required. Community Development believes the variance requested is the minimum variance needed to build a garage addition on to the existing home. Community Development has received a call and email in opposition to the request due to the structure's second floor and potential car congestion with the addition of another driveway.

STAFF COMMENTS

The applicant has requested a variance to allow a rear setback reduction from 30 feet to 20 feet at 1335 Cliffwood Drive. 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 stipulations:

1. Approval of the requested variances shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.
2. The addition is to be utilized by family members only.
3. The applicant shall not lease, rent, or sublet any space in the building addition.
4. These conditions shall run in perpetuity with the property and as such are also applicable to any future owner.

Figure - 1



Figure - 2
Site Plan

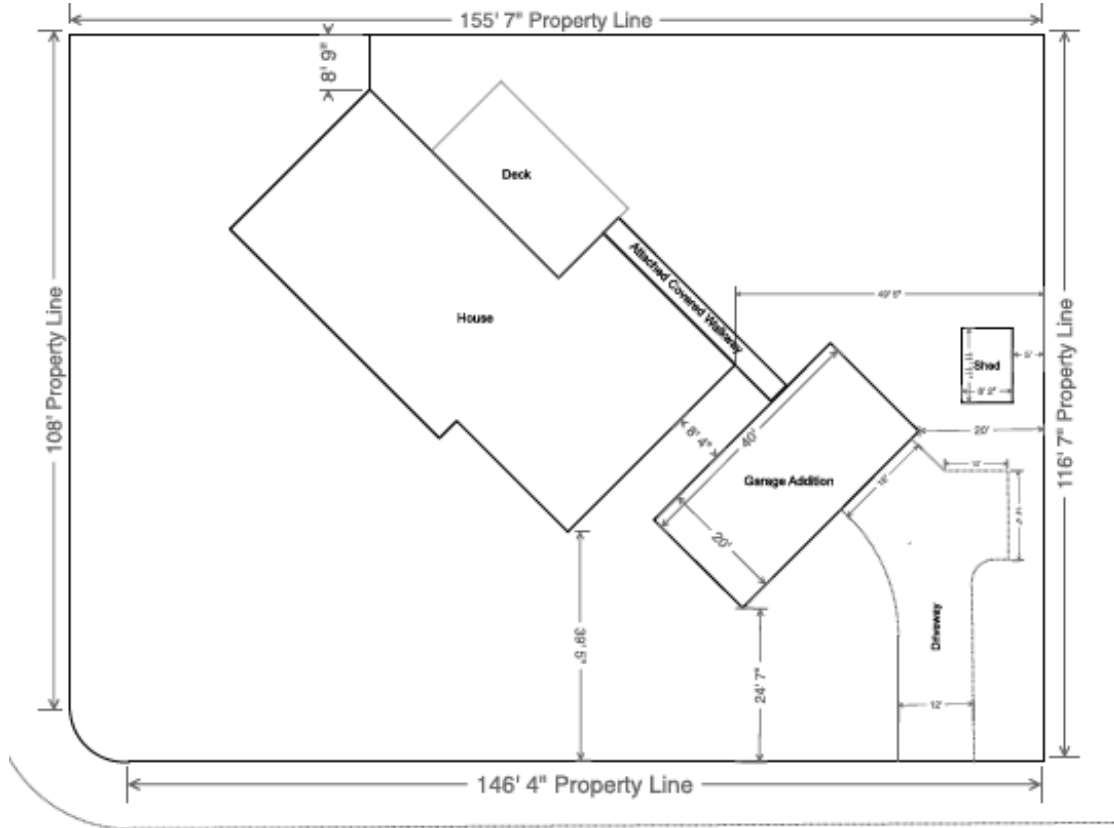


Figure – 3

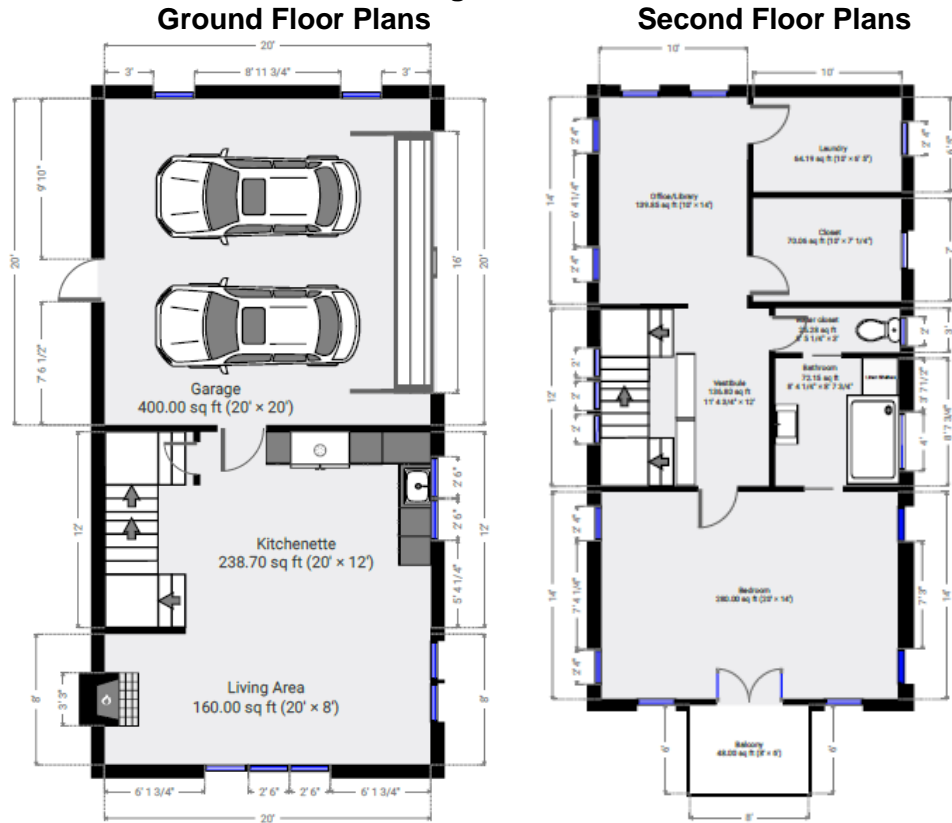


Figure – 4
Subject Property



Figure – 5
Adjacent Property across Hayes Drive



Figure – 6
Adjacent Property to the East



Figure – 7
Adjacent Property across Cliffwood Drive



Figure – 8
Adjacent Property to the North

