



City of Smyrna

2800 King Street
Smyrna, GA 30080
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Issue Sheet

File Number: V18-049

Agenda Date: 6/27/2018

Version: 1

Status: Agenda Ready

In Control: License and Variance Board

File Type: Variance Request

WARD: 5

COMMITTEE: Community Development

\$ IMPACT: N/A

Agenda Title:

Public Hearing - Allow increase in accessory structure size from 25% to 44% of primary structure - 0.334 acres - Land Lot 345 - 2660 Estelle Court - Timothy Scott McGohan

ISSUE: The applicant is requesting three variances for a detached accessory structure at 2660 Estelle Court. The applicant proposes to demolish an existing non-conforming garage, and build a new detached carport. The property is occupied by an existing small storage building. Thus the applicant requires a variance to allow a second accessory structure, to allow an increase in accessory structure size, and to allow a side setback reduction to 6 feet. Section 501 controls the maximum allowable size and height of accessory structures. Section 801 controls residential setbacks. This request is associated with V18-048 and V18-051.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting to deviate from the City's maximum size for an accessory structure, and to allow a second accessory structure which is established in Section 501.11. A side setback reduction to 6 feet is also required, as established in Section 801 of the Zoning Ordinance. 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 requests against the variance review standards and found them to be in compliance with the review standards. Similar variances for accessory structure height and area increases have been granted, and Community Development believes that the requested variances will not adversely affect surrounding residents. At the time of this report, Community Development has not received any phone calls in opposition to the variance requests, and two neighbors have submitted letters in support. Therefore, Community Development recommends **approval** of the requested variances with the following conditions:

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

2. Gutters and downspouts shall be installed to divert stormwater away from adjacent properties.

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