



# City of Smyrna

## Issue Sheet

File Number: 2021-326

City of Smyrna  
A.Max Bacon City Hall /  
Council Chambers  
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**Agenda Date:** 7/28/2021

**Version:** 1

**Status:** Agenda Ready

**In Control:** License and Variance Board

**File Type:** Variance Request

**Agenda Number:** I.

**WARD / COUNCILMEMBER:** Ward 4 / Corkey Welch

**\$ IMPACT:** N/A

**Agenda Title:**

**Public Hearing** - V21-075 - Reduce the side setback from 5 feet to 2 feet for an addition  
- Lot 406 - 1145 Queensgate Drive - Swift Home Renovations

**ISSUE AND BACKGROUND:** The applicant is requesting a variance to reduce the side setback from 5 feet to 2 at 1145 Queensgate Drive for a screened porch and deck addition. The side setback of 5 feet is required per the zoning stipulations associated with the King Valley at Vinings subdivision, platted in 1999.

**RECOMMENDATION / REQUESTED ACTION:** The applicant is requesting to deviate from the development standards established by the City for the King Valley at Vinings subdivision, which requires a side setback of 5 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. Community Development has reviewed the requests 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 enclosing the deck within the side setback 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.

2. Gutters and downspouts shall be installed on the screened porch to manage stormwater runoff and to divert water away from adjacent properties.

3. The screened porch must meet required fire retardant regulations, which shall be submitted for review to the Chief Building Official prior to permitting.