



City of Smyrna

City of Smyrna
City Hall
2800 King Street
Smyrna, GA 30080
770-434-6600
www.smyrnacity.com

Issue Sheet

File Number: 2021-043

Agenda Date: 2/10/2021

Version: 1

Status: ATS Review

In Control: License and Variance Board

File Type: Variance Request

Agenda Number: C.

WARD / COUNCILMEMBER: Ward 2 / Austin Wagner

\$ IMPACT: N/A

Agenda Title:

Public Hearing - V21-009 - Allow vertical construction on non-conforming deck - Land Lot 702 - 2424 Goodwood Boulevard - Florence Haines

ISSUE AND BACKGROUND: The applicant is requesting a variance to allow for the continuation of a non-conforming deck for the construction of an enclosed porch on a single-family residence at 2424 Goodwood Boulevard. The applicant received approval for two variances in 1997 (Variance Case - V97-020 and V97-021) for a rear yard setback reduction of 30 feet to 10 feet and a side setback reduction of 10 feet to 8 feet, respectively. Since the proposed deck enclosure is outside the scope of the originally approved variances and the variance time frame has expired, the applicant is required to request another variance. The development standards established by the City for the RTD zoning district require a minimum side yard setback of 10 feet and rear yard setback of 30 feet.

RECOMMENDATION / REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by the City for the RTD zoning district, which requires a minimum side yard setback of 10 feet and rear setback of 30 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 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 encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan submitted with the variance application. The title should be the same as your title with the addition of " and authorize the Mayor to sign and execute all related documents" if necessary

