

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

From: Ken Suddreth, Community Development Director
Joey Staubes, Planner - I

Date: May 22, 2014

RE: VARIANCE CASE V14-017
1455 Whitfield Street – Reduction of Front Setback from 35 feet to 20 feet for the construction of a front porch.

VARIANCE CASE V14-018 – Reduction of the east side setback from 10 feet to 8 feet for the construction of a master bathroom.

BACKGROUND

The applicant is requesting a variance to reduce the front yard setback for 1455 Whitfield Street from 35 feet to 20 feet for construction of front porch to a single-family residence, and a side setback reduction from 10 feet to 8 feet for a master bath addition. The development standards established by the City for the R-15 zoning district require a minimum front yard setback of 35 feet and side setback of 10 feet.

ANALYSIS

The subject parcel is located on the north side of Whitfield Street (See Figure 1). The subject parcel and all adjoining parcels to the north, south, and west are zoned R-15 and occupied by single-family detached residences (See Figures 3 & 4). To the east the property is zoned RD–Residential Duplex.

The applicant is requesting a variance to reduce the front setback from 35' to 20' to allow for the construction of a 6' x 12' front porch on an existing single family residence. The existing home is 26' from the front property line. The proposed fifteen foot encroachment will allow a front porch in the required front yard. The applicant has constructed several front porch additions to older homes to improve the architectural appeal of the structures. The applicant will also remove the non-conforming chain link fence in the front yard.

The applicant is also requesting a side setback reduction from 10 feet to 8 feet, for the construction of a master bathroom. The variance is required because the side property line is angled towards the house. The addition will just follow the building line of the existing structure. The applicant has made a concerted effort to stay outside of the side setback, and only the corner section of the addition will require the setback reduction.

The applicant has applied for and been approved for several variances for the same type of request. The applicant was approved for V13-002 in January 2013, for 1439 Whitfield Street and 1455 Whitfield Street will have a similar floor plan without the carport (See Figure 5).

The shape of the lot and the existing building line are unique and extraordinary circumstances. The alleged hardship is not self-created by the applicant as the parcel arrangement and building existed since it was built. Strict application of the code would prohibit the applicant from building the front porch and the master bathroom. Community Development believes the variances requested are the minimum variances needed.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a minimum front yard setback of 35'. The applicant requests a reduction of the front setback for 1455 Whitfield Street to 20' for the construction of 6 feet in depth and 12 feet in length front porch on a single-family home. The applicant is also requesting a side setback reduction from 10 feet to 8 feet for a master bathroom addition. 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. Furthermore, there is a precedent for variances of this type in the area. At the time of this report, Community Development has not received any phone calls regarding the variance 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

Figure - 1



Figure – 2
Subject Property



Figure – 3
Adjoining Property to the West



Figure – 4
Adjacent Property Across Whitfield Street



Figure 5 – 1439 Whitfield Street

