

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: October 17, 2019

RE: VARIANCE CASE V19-048
776 Pinehill Drive – Allow front setback reduction from 35 feet to 27 feet

BACKGROUND

The applicant is requesting a variance to reduce the front setback from 35 ft. to 27 ft. to build a 220 sq. ft. covered front porch and add a second story to a single-family home at 776 Pinehill Drive. Section 801 requires a front setback in the R-15 zoning district of 35 ft.

ANALYSIS

The subject parcel is located at the termination of Hillside Road at Pinehill Drive (See Figure 1). The subject parcel and all adjacent parcels are zoned R-15, all of which are occupied with single-family homes. The subject property is 0.53 acres (22,920 sq. ft.).

The applicant is requesting a variance to reduce the front setback to construct a 220 sq. ft. covered front porch as well as add a second story on an existing single-family residence. The subject property was constructed in 1956 and has a non-conforming front setback of 33 feet. The addition will consist of a 6 ft. by 34 ft. front porch that extends into the front setback approximately 8 feet. Therefore, the applicant is requesting a variance to reduce the front setback from 35 feet to 27 feet. There is a sewer easement in the rear yard that bisects the proposed addition on the site plan. This is not included in the variance and will be handled at a later date per the applicant.

The location of the existing structure is a unique circumstance applying to the subject property which limits where the front porch may be constructed. The hardship is not self-created since the lot size and location of the home have existed since the original house was constructed. The variance proposed is the minimum variance needed and should have no negative impact on adjacent properties. Community Development has not received any calls in opposition to the request.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by the City for the front setback of 35 feet. The applicant is requesting a variance to reduce the front

setback to 27 feet to construct a front porch on an existing single-family residence. 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. Similar variances have been approved throughout the City. 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 with the following condition:

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.

Figure – 1



Figure – 2
Subject Property



Figure – 3
Adjacent Property



Figure – 4
Adjacent Property



Figure – 5
Adjacent Property



Figure – 6
Proposed Site Plan

