

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director
Joey Staubes, AICP Planner II

Date: October 19, 2021

RE: VARIANCE CASE V21-114
1533 Collier Drive – Reduce the street-side setback from 23 feet to 13 feet

BACKGROUND

The applicant is requesting a variance to reduce the street-side setback for 1533 Collier Drive from 23 feet to 13 feet for an addition to a single-family home. The minimum front setback is required based upon the standards associated with the R-20 zoning district per Section 801 and Section 1202 of the Zoning Code.

ANALYSIS

The subject parcel is a 0.45-acre lot located on the west side of Collier Drive at the intersection of Collier Drive and Memory Lane (see Figure 1). The subject parcel and all adjacent properties to the north, south and west are zoned R-20 and are occupied by single-family residences. The subject property to the east is zoned R-20 and is occupied by a church.

The applicant is proposing to remodel an existing 1550 sq. ft. home built in 1953, with a garage and home addition. The existing home is non-conforming as the minimum floor area for R-20 is 2,100 sq. ft. The addition, increasing the home to 3687 sq. ft. will bring the home into compliance with the minimum floor area. The addition will include a side-entry garage and home expansion on the side adjacent to Memory Lane. The garage and home addition will encroach the street-side setback by 10 feet and require a reduction from 23 feet to 13 feet. The applicant will utilize the existing driveway and curb cut on Memory Lane.

The existing home was constructed in 1953, prior to the adoption of the zoning ordinance. Community Development believes the variance requested is the minimum variance needed to construct the attached garage and bring the existing structure into compliance with the minimum floor area. The hardship is not self-imposed, as the original home was built prior to the adoption of the zoning ordinance. Community Development does not foresee any negative impacts to adjacent properties should the variances be approved.

STAFF COMMENTS

The applicant requests a variance to reduce the street-side setback for 1533 Collier Drive from 23 feet to 13 feet for the construction of an attached garage. 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. 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 and elevations submitted with the variance application.

Figure – 1



Figure – 2
Site Plan

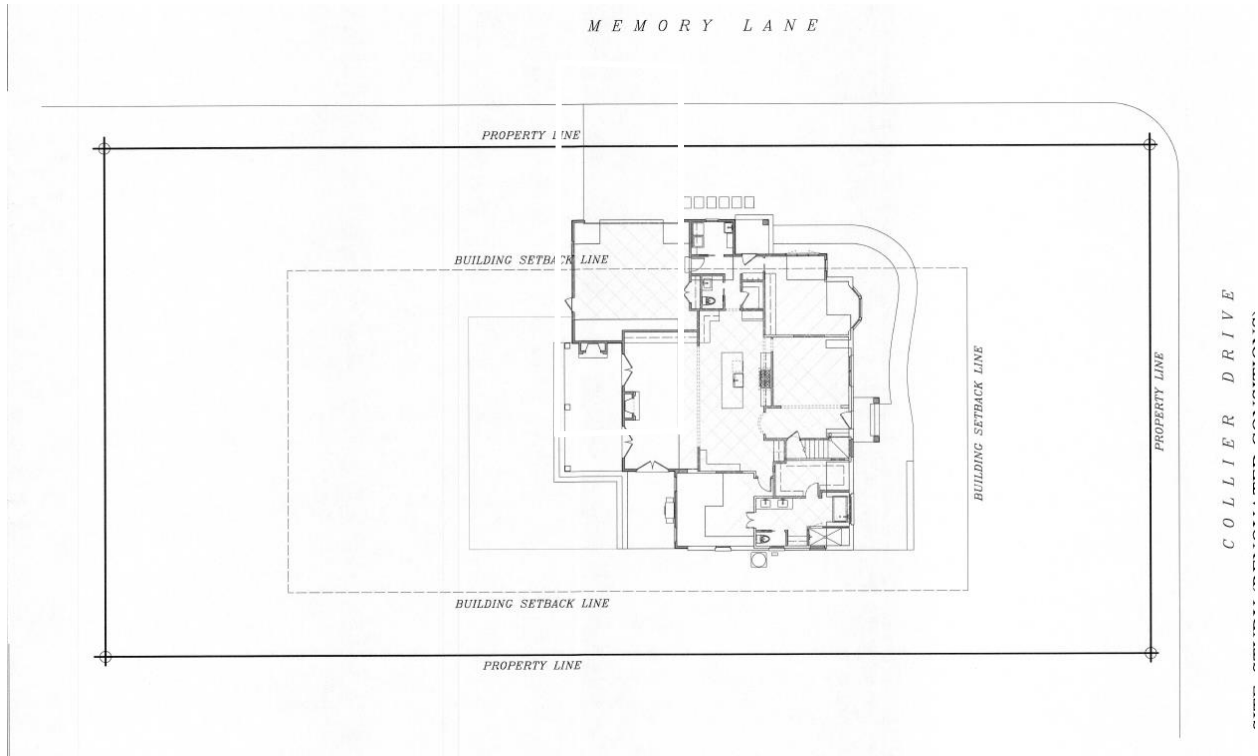


Figure – 2
Subject Property



**Figure – 3
Subject Property**



**Figure - 4
Adjacent Property to the East**



**Figure - 5
Front Elevation**



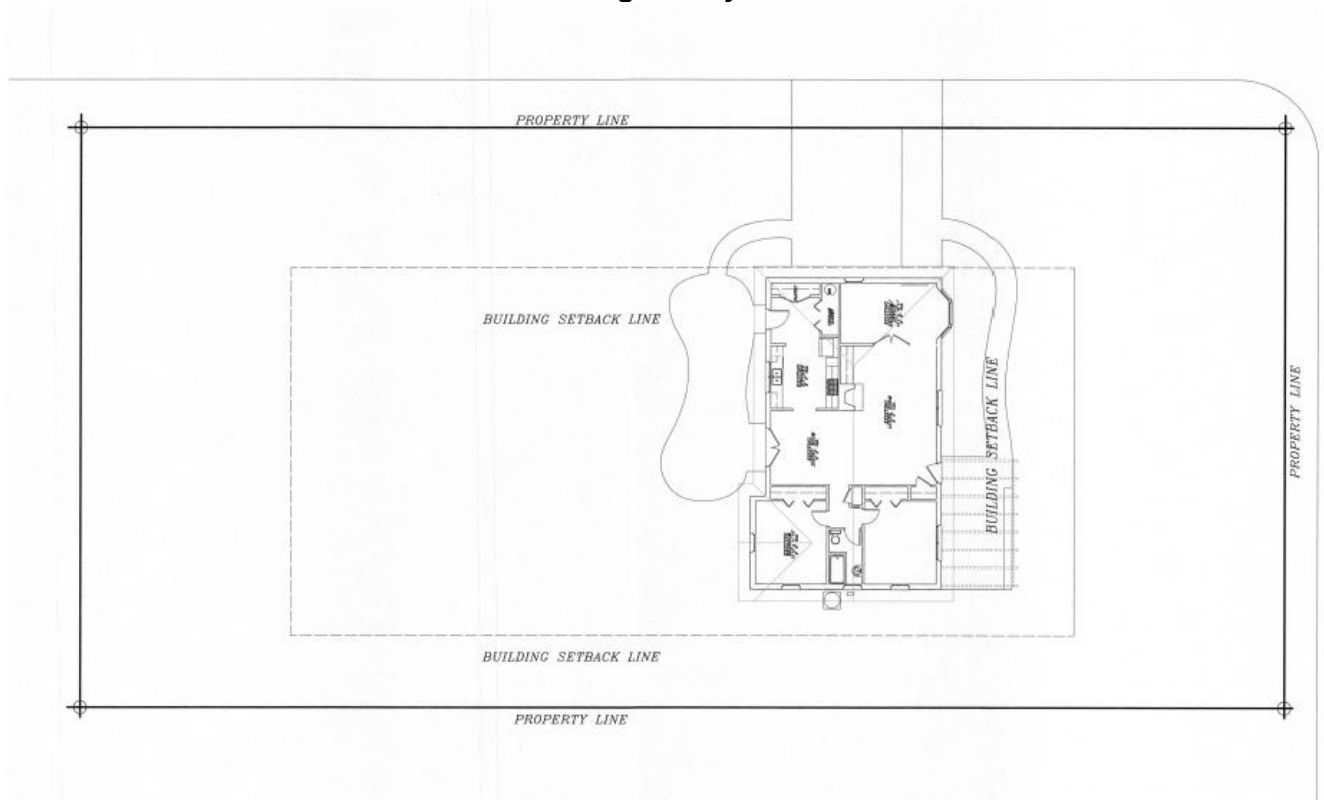
**Figure - 6
Rear Elevation**



**Figure - 7
Garage Side Elevation**



Figure - 8
Existing Survey



COLLIER DRIVE
SITE SURVEY / EXISTING CONDITIONS