

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

### MEMORANDUM

---

To: License and Variance Board

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

Date: April 1, 2014

**RE: VARIANCE CASE V14-012**  
**1020 Concord Road – Parking reduction from 11 spaces to 8 spaces**

**VARIANCE CASE V14-013**  
**1020 Concord Road – Reduction of side setback from 10 feet to 3 feet.**

---

#### **BACKGROUND**

The applicant is proposing to remodel the subject property at 1020 Concord Road with a 600 square foot addition. Increasing the gross floor area will require a reduction in parking from 11 spaces to 8 spaces. Also, the applicant would like to request a side setback reduction from 10 feet to 3 feet for an existing non-conforming encroachment. The applicant does not intend to expand in that area, and would just like to have the existing non-conforming setback on record.

---

#### **ANALYSIS**

The subject property is located on the south side of Concord Road and is zoned GC – General Commercial (See Figure 1). The adjacent properties to the south, east and west are zoned FC – Future Commercial. The properties to the north are owned by the City.

The applicant is proposing to expand the existing 1,400 square foot veterinary clinic by an additional 600 square feet. The addition will be placed on the rear of the building and will be within the required setbacks. The addition is to enlarge and update the surgery area of the clinic, not to increase the number of patient rooms. The current site has 8 parking spaces which meet the parking requirement of 5.5 spaces per 1,000 feet of gross floor area. Expanding the building will increase the parking requirement to 11 spaces. Due to the size of the property, 0.28 acres, there is no area in the front or side to place additional spaces. The applicant also owns the property which abuts the subject property to the west. The applicant is amenable to allowing her staff of 3-4 people, park at her residence to free up parking for her patients. The adjacent property is zoned FC.

The applicant is also requesting a variance to reduce the east side setback from 10 feet to 3 feet. The 7 foot encroachment already exists, and is legally non-conforming. The applicant is

simply requesting to have the variance on record. The applicant is not expanding the building in that area. The encroachment has existed since the building was constructed.

---

## STAFF COMMENTS

The applicant is requesting to decrease the required parking from 11 spaces to 8 spaces, and to reduce the east side setback from 10 feet to 3 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. After a review of the standards above and consideration of the City Engineer's recommendations, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances 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.
2. All applicable requirements of the Tree Ordinance shall be complied with.

Figure - 1



**Figure – 2**  
**Subject Property**



**Figure – 3**  
**Applicant's Residence**



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



**Figure – 5**  
**City Property across Concord Rd**

