

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: February 6, 2020

RE: VARIANCE CASE V20-013
1047 Windy Hill Road – Reduce the landscape buffer from 15 feet to 10 feet

VARIANCE CASE V20-014
1047 Windy Hill Road – Allow second accessory structure

BACKGROUND

The applicant is requesting two variances to build a new car wash at 1047 Windy Hill Road. The first variance is to reduce the landscape buffer along Windy Hill Road from 15 feet to 10 feet. The second variance is to allow an additional accessory structure on the property since there will also be a separate dumpster enclosure and pay station. The accessory structure requirements allow for one accessory structure per property and are located in Section 501 of the Zoning Ordinance. The regulations pertaining to landscape buffers along the Windy Hill Road Corridor are located in Section 717 of the Zoning Ordinance.

ANALYSIS

The subject parcel is located on the north side of Windy Hill Road at the intersection of Belmont Place and Windy Hill Road and is zoned GC (General Commercial) and is currently vacant (see Figure 1). The subject property is 1.15 acres (49,999 sq. ft.). The adjoining properties to the north are zoned RM-12 (Residential Multi-family) and OD (Office Distribution) and are occupied by an apartment complex and storage facility, respectively. The adjoining properties to the east are zoned GC and are occupied by a vacant parcel and a church property. The adjacent properties to the south are zoned MU (Mixed Use) and are occupied with an apartment complex and a medical office building. The adjacent parcel to the west is zoned GC and is currently vacant.

The applicant is requesting two variances for a proposed new car wash facility: a landscape buffer reduction and a second accessory structure. The subject parcel is one of many parcels affected by the road improvements of the Windy Hill project which will significantly affect the front section of the parcel when the property owner dedicates the required right-of-way for the ongoing project. This in turn limits the land availability for the 15 foot landscape buffer as required by Section 717 for the Windy Hill Road corridor district. The applicant is requesting to reduce the landscape buffer from 15 feet to 10 feet to better accommodate the turning radii as vehicles exit the car wash building.

Part of the car wash's design is for a detached pay station as well as an enclosed dumpster, both separated from the main car wash structure. This means that there are two accessory structures on the parcel, which is not permissible under Section 501.11 of the Zoning Ordinance. However, both the pay station and dumpster are essential for the business operation and have little to no effect on the surrounding parcels.

Community Development believes the variances requested are the minimum variances needed to build a new car wash on the subject property. Community Development does not foresee any negative impacts to adjacent properties should the variances be approved.

STAFF COMMENTS

The applicant has requested variances to reduce the landscape buffer from 15 feet to 10 feet and to allow a second accessory structure for the construction of a new car wash. 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. At the time of this report, there has been no public objection to the request. After a review of the standards above, Community Development believes that the variances will not adversely affect surrounding properties; therefore, staff recommends **approval** of the requested variances 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
Site Plan

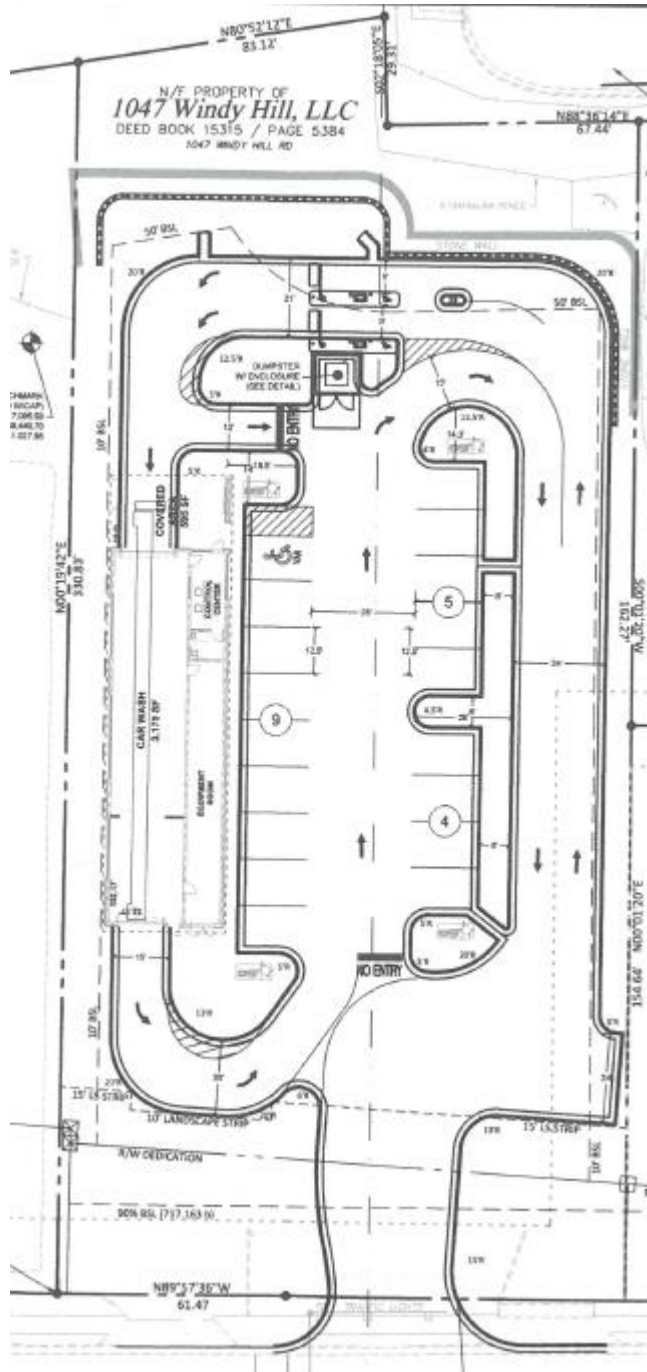


Figure – 3
Subject Property from Windy Hill Road



Figure – 4
Subject Property



Figure – 5
Adjacent Properties to the South



Figure – 6
Adjacent Property to the East

