

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

## MEMORANDUM

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To: License and Variance Board

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

Date: March 22, 2018

**RE: VARIANCE CASE V18-023**  
**2761 Guthrie St – Reinstatement for Reduction of Front Setback from 35 feet to 23 feet for the construction of an addition to a single family residence.**  
**VARIANCE CASE V18-024**  
**2761 Guthrie St – Reduction of Side Setback from 10 feet to 5 feet for the construction of a garage.**

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### **BACKGROUND**

The applicant is requesting a variance to reduce the front yard setback for 2761 Guthrie St from 35 feet to 23 feet for construction of an addition and front porch to a single-family residence. The development standards established by the City for the R-15 zoning district require a minimum front yard setback of 35 feet. This was previously approved on July 13, 2016 by the License and Variance Board, however the applicant never obtained a building permit and the variance has expired. Additionally, the applicant is requesting a side setback reduction from 10 feet to 5 feet to build a two car garage, 22 feet by 22 feet.

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### **ANALYSIS**

The subject parcel is located on the east side of Guthrie St (See Figure 1). The subject parcel and all adjoining parcels to the north, south, and west are zoned R-15. The adjoining property to the east is zoned RAD. All are occupied by single family residences (See Figures 2-5).

The applicant is requesting a variance to reduce the front setback from 35 feet to 23 feet to allow for the construction of a 16' x 20' living room and a 10' x 16' covered porch on an existing single family residence. The existing home was built approximately 39 feet from the front property line and the home is approximately 1400 sq. ft. including the basement. The proposed 19 foot encroachment will allow a front porch and living room in the required front yard, and increase the area of the home to nearly 1,900 sq. ft. The minimum house area in R-15 is 2,000 sq. ft.

The 1,400 sq. ft. existing one story brick ranch home was built in 1955, and is legal non-conforming as it is below the minimum house area for R-15. The proposed addition brings the

home closer to compliance with the minimum house area. The applicant's intention is to create additional living area in the residence. The existing floor plan includes living area at the front of the home with bedrooms at the rear. The subject parcel is 0.37 acres. Increasing the size of the living area is only feasible by extending the existing front of the home towards Guthrie Street. Existing homes near the intersection of Guthrie and Bank Street, within Parkview Village Subdivision have similarly reduced front setbacks of 20 feet. The License and Variance Board approved this variance on July 13, 2016 but it has expired as the applicant did not obtain a building permit within a year. The applicant is requesting that this variance be reinstated.

The applicant is also requesting a side setback reduction from 10 feet to 5 feet in order to build a two car garage, 22 feet long by 22 feet wide. The garage will be positioned in alignment with the existing driveway. The home presently has no garage or carport. Due to the alignment of the driveway and the slope of the property, the proposed location for the garage is the most logical area in which to place it.

The existing structure is nonconforming as it is below the minimum house area required for R-15. The proposed addition increases the size of the existing home substantially to just below the 2,000 sq. ft. minimum. Community Development believes the variance requested is the minimum variance needed to bring the home into conformance and create additional living area. Community Development does not foresee any negative impacts to adjacent properties from the addition if it is approved. The variance is not self-created as the house location and size have existed since the home was built in 1955. Additionally, the garage is proposed in the most logical area, due to the existing alignment of the driveway and the topography of the site.

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## 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 feet and side setback of 10 feet. The applicant requests a reduction of the front setback for 2761 Guthrie Street to 23 feet for the construction of a front porch and living room to a single-family home, and reduction of the side setback to 5 feet for the construction of a 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. 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 variances with the following condition:

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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**  
**Subject Property**



**Figure – 3**  
**Adjoining Property to the North**



**Figure – 4**  
**Adjacent Property across Guthrie St**



**Figure 5 – Adjacent Property to the South**



**Figure 6 – Site Plan**



## FRONT ELEVATION



**Figure 7 – Elevations**

