

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: March 22, 2018

RE: VARIANCE CASE V18-021

2804 Walker Court – Reduction of Front Setback from 35 feet to 27 feet for the construction of a new single family residence.

VARIANCE CASE V18-022

2804 Walker Court – Reduction of Driveway Setback from 5 feet to 1 foot for the construction of a new single family residence.

BACKGROUND

The applicant is requesting a variance to reduce the front yard setback for 2804 Walker Court to 27 feet, and a driveway setback reduction to 1 foot for construction of a new 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 and a driveway setback of 5 feet.

ANALYSIS

The subject parcel is located on the west side of Walker Court (See Figure 1). The subject parcel and all adjoining parcels to the north, south, east, and west are zoned R-15 and all are occupied by single family detached homes.

The applicant is proposing to demolish the existing single family house on the property to build a new single family detached residence. The subject property is approximately 0.25 acres. The applicant would like to position the new structure concurrent with the front setback of the existing structure which is approximately 27 feet from the front property line. Additionally, the applicant would like to reduce the driveway setback to 1 foot, in order to access a rear loaded garage.

The subject property has a triangular shape which limits where the new structure can be built. The adjacent properties also have a triangular shape and similarly reduced front and driveway setbacks.

The existing structure and adjacent structures have non-conforming front setbacks. The applicant would like to build a new single family residence at the existing front setback of 27 feet. Additionally, the applicant requests a driveway setback reduction to 1 foot. Community Development believes the variances requested are the minimum variances needed to build the new home. The hardship is not self-imposed, as the triangularly shaped lot reduces where the house can be positioned on the lot. Community Development does not foresee any negative impacts to adjacent properties should the variances be approved.

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 driveway setback of 5 feet. The applicant requests a reduction of the front setback to 27 feet, and a driveway setback to 1 foot for 2804 Walker Court for the construction of a new 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. 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:

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.

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Figure – 1



Figure – 2
Subject Property



**Figure – 3
Adjacent Property**



**Figure – 4
Adjacent Property**



Figure 5 – Site Plan

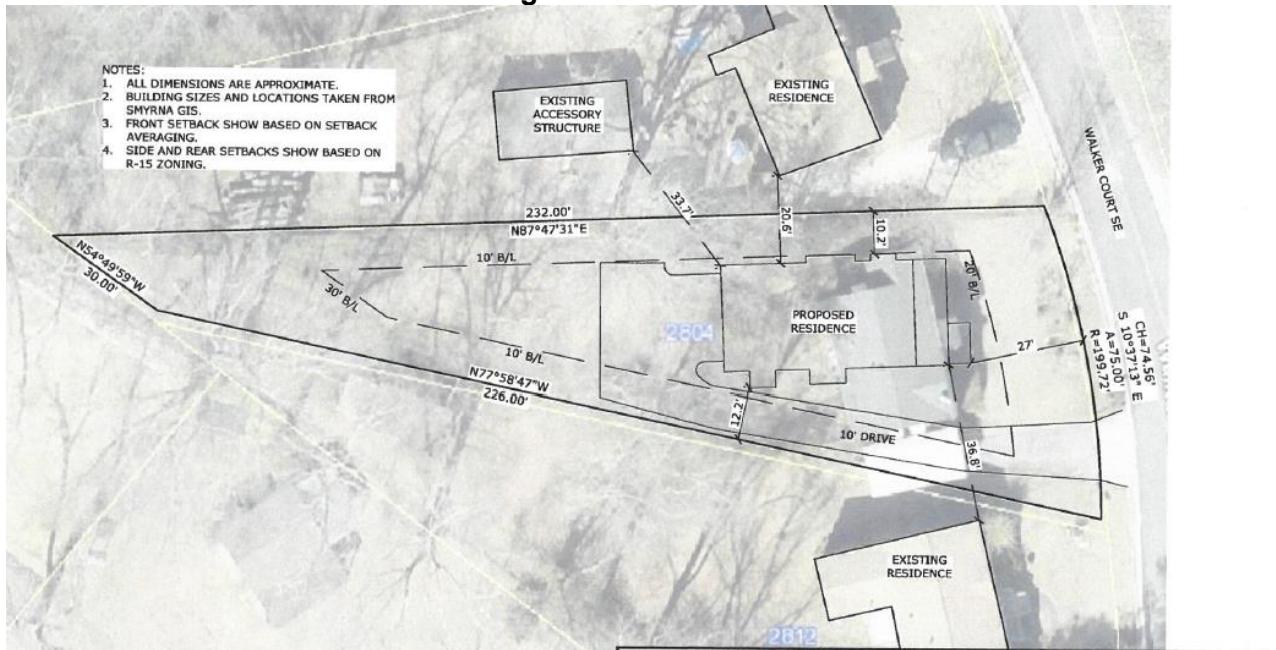


Figure 6 – Elevations

