

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: January 5, 2018

RE: VARIANCE CASE V18-003
3690 Ashwood Drive – Reduction of Front Setback from 35 ft. to 27 ft.
VARIANCE CASE V18-004
3690 Ashwood Drive – Allow encroachment into 75 ft. Impervious Setback

BACKGROUND

The applicant is requesting a variance to reduce the front yard setback for 3690 Ashwood Drive from 35 ft. to 27 ft. for construction of an addition to an existing single-family residence. Development standards established by the City for the R-15 zoning district require a minimum front yard setback of 35 ft. Additionally the applicant requests a reduction of the impervious setback from 75 feet to 70 feet.

ANALYSIS

The subject parcel is located on the west side of Ashwood Drive (See Figure 1). The subject parcel and adjoining parcels to the north, south, east, and west are zoned R-15. All are occupied by single-family detached residences (See Figures 3 &4). The property is 0.51 acres (22,516 sq. ft.) and is encumbered with stream buffers along the south end of the property.

The applicant is requesting a variance to reduce the front setback from 35 ft. to 27 ft. to allow for the construction of a 8' x 16' front porch on the existing home. The existing home is approximately 1,500 sq. ft., built in 1960, and is non-conforming being 500 sq. ft. below the minimum house size. The applicant has plans to expand the existing house by constructing a garage on the north side, and to enlarge the living area on the south side. The addition on the south side will encroach the impervious buffer by 5 feet, and requires an impervious setback reduction from 75 feet to 70 feet. The total area of encroachment is only approximately 30 sq. ft., but it is necessary to keep both sides symmetrical.

The City Engineer was consulted regarding the project and supports the request, so long as no negative impacts affect the stream, and an area on the property is designated for compensatory mitigation, equal to the area of the impervious setback encroachment.

Community Development believes the variance requested is the minimum variance needed, while also improving existing conditions on the subject property. The addition will bring the non-conforming house size into compliance. The hardships on the subject property are not self-created as they have existed since the lot was created.

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 ft. The applicant requests encroachment into the 75 ft. impervious setback, where no impervious materials currently exist. 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 variance with the following conditions:

1. Approval is conditioned upon substantial compliance with the site plan submitted with the variance application.
2. Prior to issuance of building permit, the applicant shall record a plat that combines the two parcels shown on the site plan as one parcel.
3. The plat shall also designate an area for compensatory mitigation equal to the area of impervious setback encroachment, as well as the location of the sewer line, with a 20 ft. easement around the sewer line.

Figure – 1



Figure – 2
Subject Property



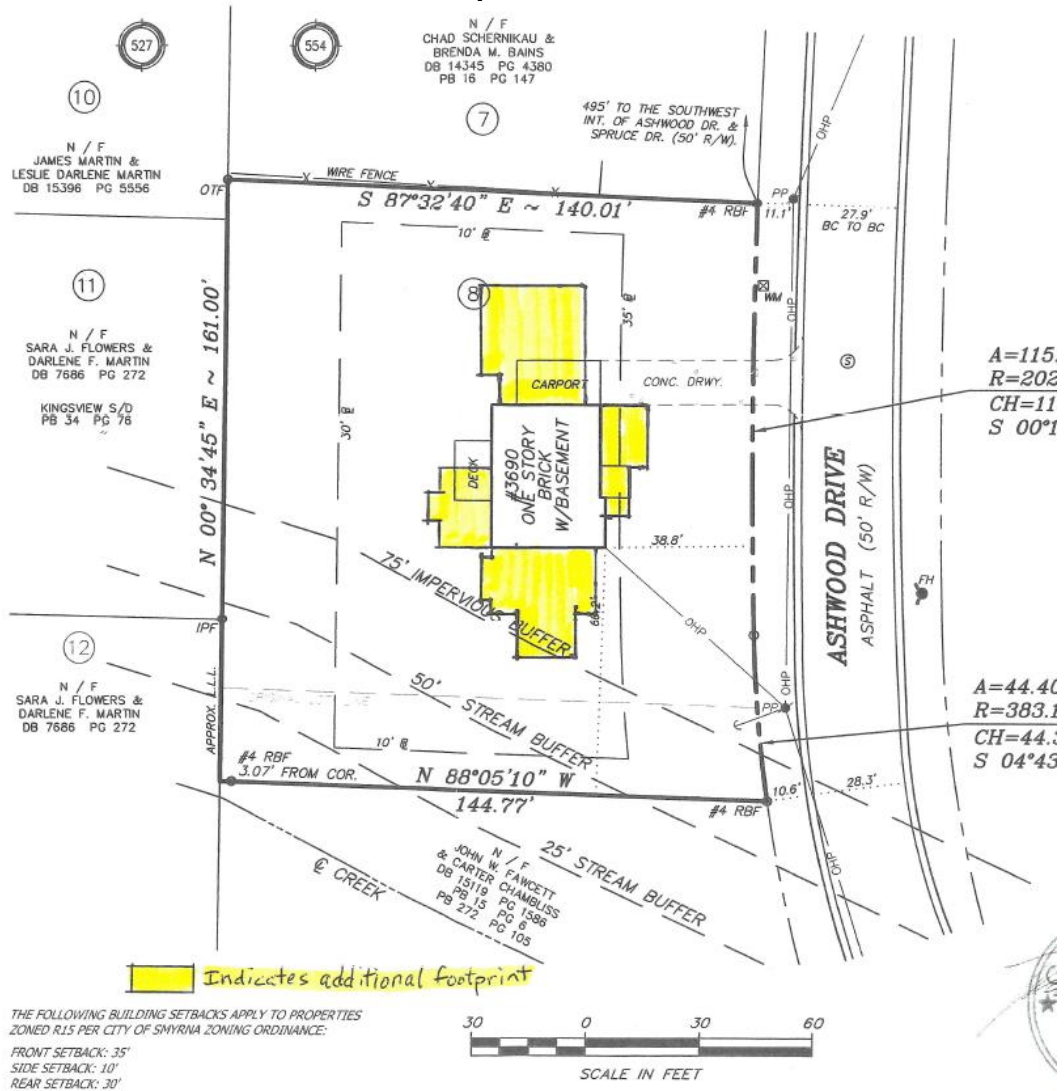
Figure – 3
Adjoining Property



Figure – 4
Adjoining Property



**Figure - 5
 Proposed Plan**



**Figure – 6
 Proposed Front Elevation**



FRONT ELEVATION

**Figure – 7
 Proposed Rear Elevation**



LEFT ELEVATION

RIGHT ELEVATION