



# City of Smyrna

City of Smyrna  
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## Issue Sheet

File Number: 2021-345

Agenda Date: 8/11/2021

Version: 1

Status: Agenda Ready

In Control: License and Variance Board

File Type: Variance Request

Agenda Number: A.

**WARD / COUNCILMEMBER:** Ward 7 / Lewis Wheaton

**\$ IMPACT:** N/A

### Agenda Title:

**Public Hearing** - V21-078 - Allow second kitchen in existing dwelling unit - Lot 630 -  
3711 Manigault Place - Jesus Torres Lara

**ISSUE AND BACKGROUND:** The applicant is requesting a variance from Section 402.24 of the Zoning Code to allow a second kitchen in the basement of 3711 Manigault Place. Because the subject property is a single-family residence, the additional kitchen would constitute a second living unit, which is prohibited per the definition of a single-family dwelling.

**RECOMMENDATION / REQUESTED ACTION:** The applicant has requested a variance to permit a second kitchen in a single-family home. 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 the four (4) standards. After a review of the standards above, Community Development believes that the second kitchen will not adversely affect surrounding residents, nor set a negative precedent for future homebuilding in the area. Community Development recommends **approval** of the requested variance with the following stipulations:

- 1.The addition is to be utilized by family members only.
- 2.The applicant shall not lease, rent, or sublet any space in their home.
- 3.These conditions shall run in perpetuity with the property and as such are also applicable to ar future owner.