



City of Smyrna

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Issue Sheet

File Number: 2020-94

Agenda Date: 2/12/2020

Version: 1

Status: Agenda Ready

In Control: License and Variance Board

File Type: Variance Request

Agenda Number: N.

WARD / COUNCILMEMBER: Ward 3 / Travis Lindley

\$ IMPACT: N/A

Agenda Title:

Public Hearing - V20-013 - Reduce the landscape buffer from 15 feet to 10 feet - Land Lot 446 - 1047 Windy Hill Road - Alterman Commercial Real Estate

ISSUE AND 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.

RECOMMENDATION / REQUESTED ACTION:

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.