

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

## MEMORANDUM

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To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director  
Caitlin Crowe, Planner I

Date: July 13, 2021

**RE: VARIANCE CASE V21-072  
3340 Lee Street – Allow additional accessory structure**

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### **BACKGROUND**

The applicant is requesting a variance to construct a 360 square foot pool at 3340 Lee Street. The property is currently occupied by an existing single-family home and a detached garage. Thus, the applicant requires a variance to allow construction of a pool as an additional accessory structure. Section 501 controls the maximum allowable number of accessory structures.

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### **ANALYSIS**

The subject parcel is a 0.44-acre lot located on the west side of Lee Street in the Forest Hills subdivision (see Figure 1). The subject parcel and all adjacent parcels are zoned R-20 and are occupied by detached single-family residences.

The subject property is currently occupied by a single-family home and a 927 square foot detached 2-car garage. The accessory structure ordinance allows one accessory structure or use per lot and since a detached garage already exists on the property, a variance is required. The applicant is proposing to construct a 360 square foot in-ground swimming pool in between the home and detached garage in the rear yard. No other variances for setback reduction or impervious area increase are required since the pool will be in the middle of the rear yard and the property will have a proposed impervious area of 31.15%.

The applicant is requesting a variance to allow the construction of an inground swimming pool. The property does not currently have any garage space aside from the detached garage in the rear. Community Development believes the variance requested is the minimum variance needed to allow for both covered parking and a swimming pool on the subject property. Due to the size of the lot and location of the proposed pool, Community Development believes the proposal will not adversely impact adjacent properties. Similar variances for additional accessory structures have been granted where approval would not impact adjacent properties.

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### **STAFF COMMENTS**

VARIANCE CASE V21-072

July 13, 2021

Page 2 of 5

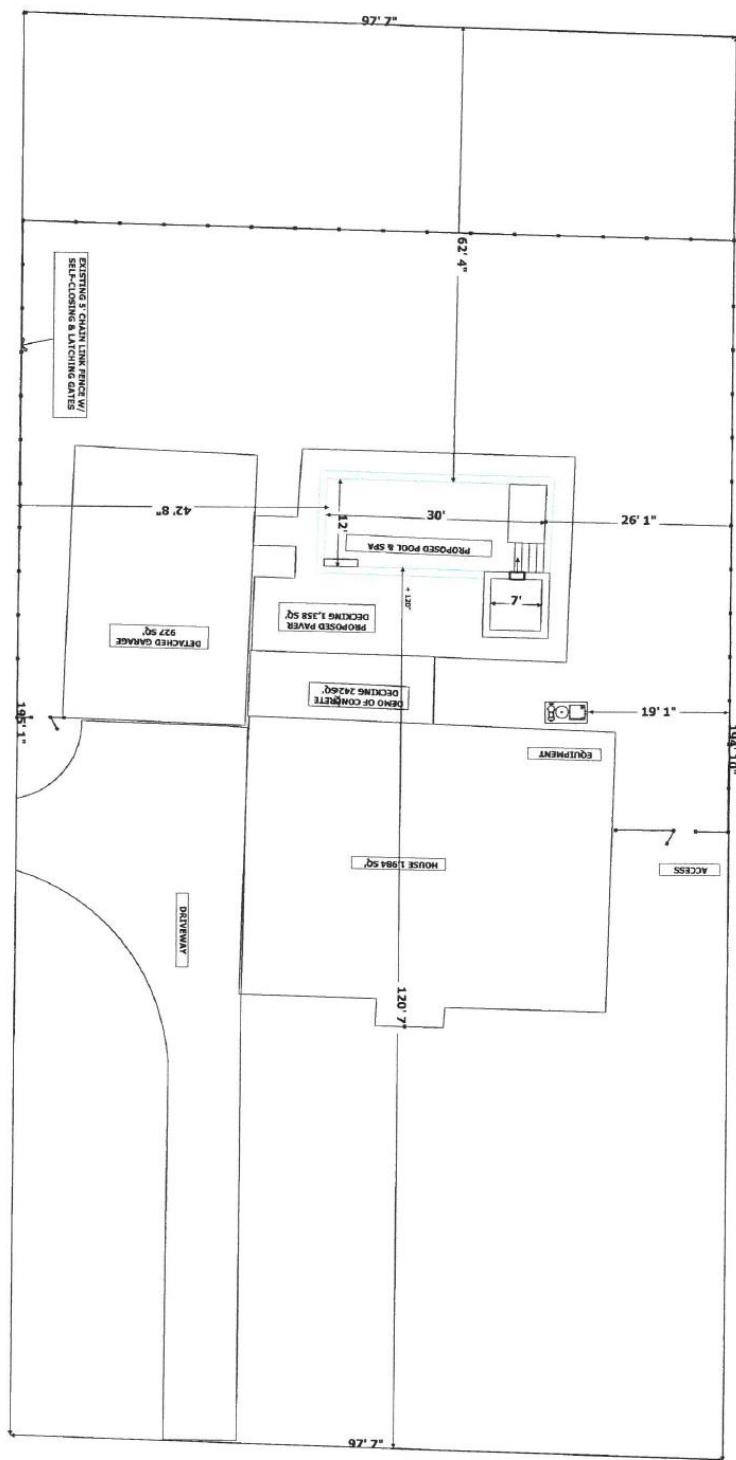
The applicant is requesting to deviate from the City's accessory structure ordinance to allow a second accessory structure. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances 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 requests against the variance review standards and found them to be in compliance with the review standards. Community Development believes that the requested variance will not adversely affect surrounding residents. Therefore, Community Development recommends approval of the requested variance with the following condition:

1. Approval of the subject property for the requested variance shall be conditioned upon substantial compliance with the site plan submitted with the variance application.

Figure – 1



## Figure – 2 Site Plan



**Figure – 3**  
**Subject Property**



**Figure – 4**  
**Adjacent Property to the South**



**Figure – 5**  
**Adjacent Property across Lee St**



**Figure – 6**  
**Adjacent Property to the North**

