

# 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: June 30, 2021

**RE: VARIANCE CASE V21-067**  
**2755 Sanford Road – Reduce the side setback from 10 feet to 6.6 feet for an addition**

**VARIANCE CASE V21-068**  
**2755 Sanford Road – Reduce the front setback from 35 feet to 28.33 feet for a front porch**

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#### **BACKGROUND**

The applicant is requesting a variance to reduce the side setback from 10 feet to 6.6 feet and reduce the front setback from 35 feet to 28.33 feet at 2755 Sanford Road for an addition. The existing home is currently non-conforming at roughly 8 feet from the side property line and 24.33 feet from the front property line. Section 801 requires a side setback of 10 feet and a front setback of 35 feet in the R-15 zoning district.

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#### **ANALYSIS**

The subject parcel is a 0.41-acre double frontage lot located in between Sanford Road and Sanford Place, across from Cobb Park (see Figure 1). The subject parcel and all adjacent parcels are zoned R-15 and are all occupied by detached single-family homes with the exception of the parcel to the east, which is occupied by the baseball field of Cobb Park.

The applicant is completely renovating the existing one-story house by adding a 932 square foot addition and deck to the rear of the home as well as a 132 square foot front porch. The existing home was constructed in 1952, prior to the adoption of the Zoning Ordinance and has an existing non-conforming front and side setback. The existing home is currently encroaching into the northern side setback by roughly 2 feet and into the front setback by almost 11 feet, the applicant is requesting two variances for the renovation: a front setback and side setback reduction.

Due to the existing home's nonconforming location and being oriented parallel to the road, the addition will encroach into the side setback because the side property line is not perpendicular to the street. Strict application of the ordinance would deny the applicant the ability to add any additional square footage to the home since the existing structure is already encroaching into the side setback. The existing one-story structure is 889 square feet, while the minimum house

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size of R-15 is 2,000 square feet. With all the renovations, the home will be 1,803 square feet, bringing the home closer into compliance with the R-15 floor area requirement.

The existing front porch is also currently non-conforming, sitting 24.33 feet from the front property line. The existing 150 square foot front porch will be demolished and be reconfigured to become a more usable front porch. The applicant has reconfigured the porch to be wider but not as deep so the encroachment will only be about 7 feet rather than the current 11 feet.

Due to the existing location of the existing home on the subject property, the proposed addition will minimize disturbance to the subject property and surrounding neighbors. Strict application of the ordinance would require the foundation be moved on the existing home to conform to the current code. The variances proposed are the minimum variances needed to construct the addition and front porch in line with the current home. The hardship is not self-imposed, as the original home was built prior to the adoption of the Zoning Ordinance. Community Development does not foresee any negative impacts to adjacent properties should the variance be approved.

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### STAFF COMMENTS

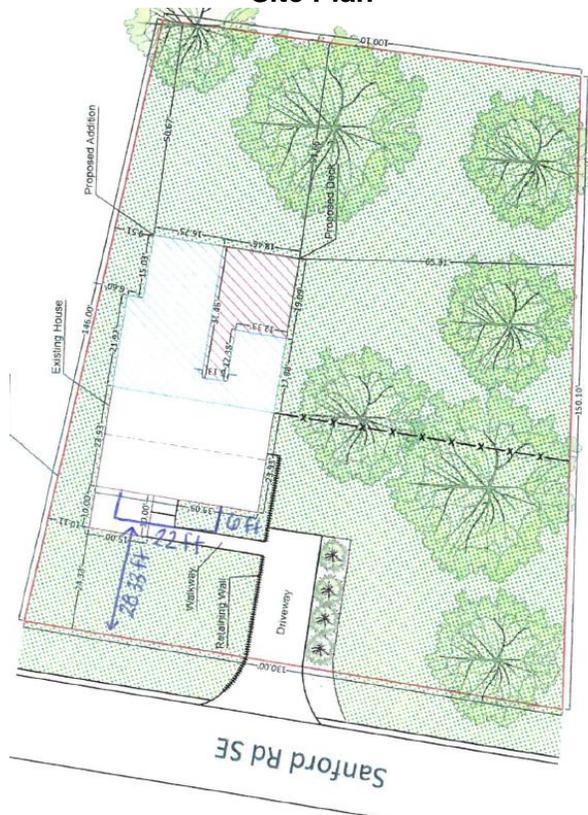
The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a side setback of 10 feet and front setback of 35 feet. The applicant is requesting to construct an addition in the side setback, 6.6 feet from the side property line and a front porch, 28.33 feet from the front property line. 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 it to be in compliance with four (4) of the four (4) standards. After a review of the standards above, Community Development believes that placing the addition in the side and front setbacks will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following condition:

1. Approval of the subject property for 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.

Figure - 1



Figure - 2  
Site Plan



**Figure – 3**  
**Subject Property from Sanford Road**



**Figure – 4**  
**Subject Property from Sanford Place**



**Figure – 5**  
**Adjacent Property across Sanford Road**



**Figure – 6**  
**Adjacent Property to the North from Sanford Road**



**Figure – 7**  
**Adjacent Property to the North from Sanford Place**



**Figure – 8**  
**Adjacent Property across Sanford Place**

