

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: February 6, 2020

**RE: VARIANCE CASE V20-007
2661 Grady Street – Allow exterior side setback reduction from 10 feet to 7.3 feet**

BACKGROUND

The applicant is requesting a variance to reduce the side exterior setback for 2661 Grady Street from 10 feet to 7.3 feet for the construction of a covered outdoor patio. The minimum side setback is required based upon the standards associated with the zoning stipulations recorded on the approved subdivision plat from 2011.

ANALYSIS

The subject parcel is a 0.15-acre lot located on the northern intersection of Grady Street and Elle Court (see Figure 1). The subject parcel and all adjacent properties are zoned RDA and are occupied by single-family residences.

The applicant is proposing to construct a new covered patio with a gable roof and a ventless fireplace. Patios currently do not require permitting and do not need to meet the required setbacks since they are flush with the ground. The patio is currently encroaching in the setback by 2.7 feet. The footprint of the patio will remain unchanged. The addition of the gabled roof over the patio requires the need for the variance due to the roof structure encroaching into the setbacks.

Since the lot has three road frontages, there is little outdoor space available to the applicant. Community Development believes the variance requested is the minimum variance needed to construct a usable outdoor space. Community Development does not foresee any negative impacts to adjacent properties should the variance be approved. Community Development has not received any calls in opposition to the request.

STAFF COMMENTS

The applicant is requesting a variance to reduce the exterior side setback for 2661 Grady Street from 10 feet to 7.3 feet for the construction of a covered outdoor patio. 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

VARIANCE CASE V20-007

February 6, 2020

Page 2 of 5

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 encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance 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 and elevation submitted with the variance application.

Figure – 1



Figure – 2
Site Plan

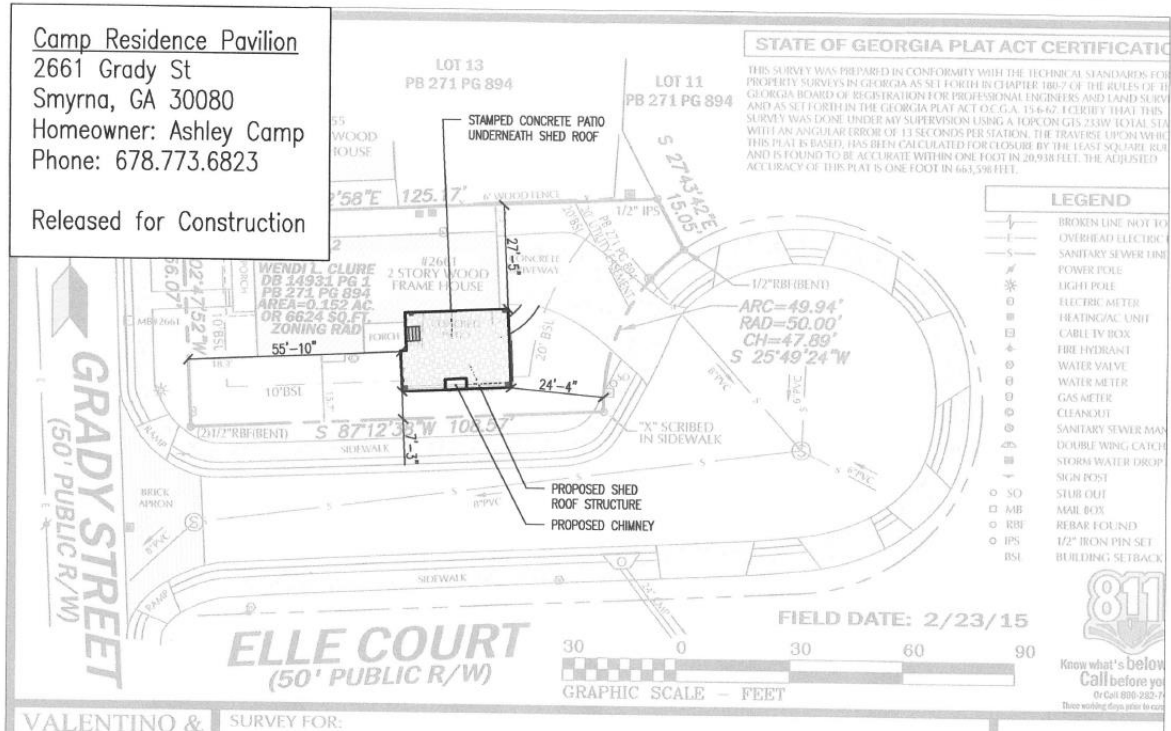


Figure – 3
Subject Property



Figure – 4
Subject Property



Figure – 5
Adjacent Property across Grady Street



Figure - 6
Adjacent Property to the North



Figure - 7
Adjacent Property to the South

