



# City of Smyrna

2800 King Street  
Smyrna, GA 30080  
770-434-6600  
www.smyrnacity.com

## Issue Sheet

File Number: 2020-93

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**Agenda Date:** 2/12/2020

**Version:** 1

**Status:** Agenda Ready

**In Control:** License and Variance Board

**File Type:** Variance Request

**Agenda Number:** M.

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

**\$ IMPACT:** N/A

**Agenda Title:**

**Public Hearing** - V20-012 - Allow the reduction of the rear setback from 30 feet to 15 feet - Land Lot 330 - 4830 Marina Lane - John T. Holmes

**ISSUE AND BACKGROUND:**

The applicant is requesting a variance to reduce the rear setback for 4830 Marina Lane from 30 feet to 15 feet for the construction of a covered portico. The minimum rear setback is required based upon the standards associated with the approved subdivision plat from 2005.

**RECOMMENDATION / REQUESTED ACTION:**

The applicant is requesting a variance to reduce the rear setback for 4830 Marina Lane from 30 feet to 15 feet for the construction of a covered portico. 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 encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following con

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.