

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

From: Ken Suddreth, Community Development Director
Joey Staubes, AICP, Planner II

Date: February 3, 2017

**RE: VARIANCE CASE V17-007
642 Concord Road – Reduction of side setback from 10 feet to 3 feet.**

BACKGROUND

The applicant is requesting a variance to reduce the side yard setback for 642 Concord Road from 10 feet to 3 feet for the proposed rebuild of Fire Station #2. The development standards established by the City for the R-15 zoning district require a minimum side yard setback of 10 feet.

ANALYSIS

The subject parcel is located on the south side of Concord Road (See Figure 1). The subject parcel is zoned R-15 and occupies the existing Fire Station #2. To the east is zoned NS, and is occupied by a restaurant. To the west is zoned GC and is occupied by a commercial business. To the north is zoned RAD and is occupied by a residential subdivision. To the south is zoned NS which is occupied by a commercial business. The subject property is 0.77 acres.

The applicant is requesting a variance to reduce the side setback from 10 feet to 3 feet to allow for the reconstruction of Fire Station #2. The proposed encroachment will allow fire apparatus to maneuver around the station and through the bays more efficiently. The current apparatus bay will not accommodate the trucks. The proposed building will have a full size pull through with a driveway to the right for equipment. The proposed Fire Station #2 will resemble Fire Station #1. The nearest structure on the abutting property is approximately 25 ft. from the proposed building location and is separated by vegetation and grade change and should have no negative impacts should the variance be approved.

The variance proposed is the minimum variance needed to provide the most efficient layout enabling unrestricted movement of fire apparatus. Strict application of the requirements would reduce the building width and greatly restrict movement of fire apparatus. The hardship has not been self-created, and approval should have no negative impacts on adjacent properties.

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 minimum side yard setback of 10 feet. The applicant is requesting a reduction of the side setback to 3 ft. for 642 Concord Road for the rebuild of Fire Station #2. 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. Similar variances have been approved throughout the city so no negative precedent would be set. At the time of this report, Community Development has not received any phone calls regarding the variance 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 submitted with the variance application.

Figure – 1



Figure – 2
Subject Property



Figure – 3
Adjacent Property to East



Figure – 4
Site Plan

