

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: February 17, 2017

**RE: VARIANCE CASE V17-013
2621 Linnwood Drive – Reduction of front setback from 35 feet to 30 feet for
construction of a front porch.**

BACKGROUND

The applicant is requesting a variance to reduce the front yard setback for 2621 Linnwood Drive from 35 feet to 30 feet for the construction of a front porch on a single-family residence. The development standards established by the City for the R-15 zoning district require a minimum front yard setback of 35 feet.

ANALYSIS

The subject parcel is located on the east side of Linnwood Drive (See Figure 1). The subject parcel and all adjoining parcels to the north, south, east and west are zoned R-15 which are occupied with single family homes.

The applicant is requesting a variance to reduce the front setback from 35 feet to 30 feet to allow a front porch on an existing single family residence. The subject property is 0.29 acres. The existing home is a single family one story home with basement. The new porch is 6 ft. x 16 ft., and was constructed prior to variance approval (Figure 2). Previously, the front entrance was comprised with only steps leading to a small stoop (Figure 3). Due to the age of the stoop the applicant replaced it with a new, slightly larger, front porch. The previous stoop was non-conforming with a 30 ft. front setback. The new front porch also has a 30 ft. front setback. However, since the new porch has a greater width than the previous non-conforming stoop, a variance is required.

The original construction of the home included a non-conforming stoop that extended into the front setback, thus any modification to the front of the home would require a variance. The variance proposed is the minimum variance needed. Similar variances have been approved throughout the city. Approval of the variance should have no negative impact 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 front yard setback of 35 feet. The applicant is requesting a reduction of the front setback for 2621 Linnwood Drive to 30 feet for a front porch on an existing single family home. 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.

Figure – 1



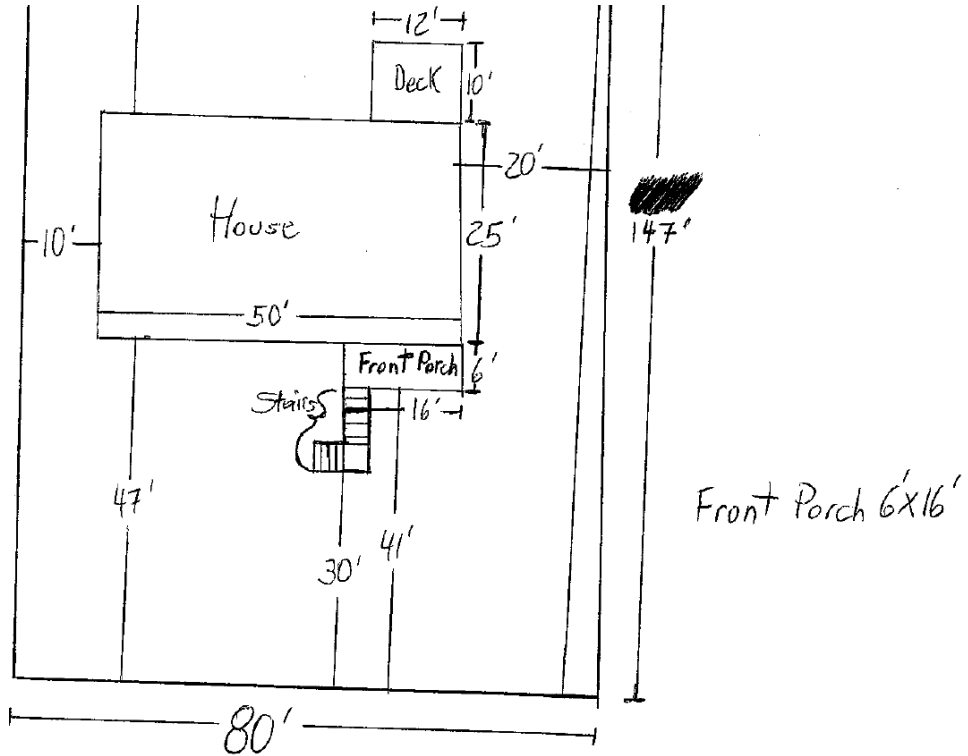
Figure – 2
Subject Property



Figure – 3
Former Entrance
From Cobb County Tax Assessor 2015



Site Plan



Adjacent Property to North



Figure – 6
Adjacent Property to South

