

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: April 20, 2017

RE: VARIANCE CASE V17-020
3389 Pinetree Drive – Allow reduction of southern side setback from 12 ft. to 10.6 ft. and northern side setback from 12 ft. to 5 ft., for an addition to a single family residence.

BACKGROUND

The applicant is requesting a variance to reduce both side setbacks from 12 feet to 5 feet on the north side and 12 feet to 10.6 feet on the south side at 3389 Pinetree Drive for an addition to a single family residence. Section 801 of the city's code of ordinance requires a side setback of 12 feet in the R-20 zoning district.

ANALYSIS

The subject parcel is located to the east of Pinetree Drive (see Figure 1). The subject parcel is zoned R-20, and is occupied by a two story single-family residence. The adjacent properties to the north, south, and west are zoned R-20 and are developed with detached single family homes. The property to the east is zoned RAD and is also developed with single family detached homes.

The applicant is proposing to expand the existing footprint of the two story structure on the front and rear of the home. The front of the existing home is parallel to the street, however the side lot lines run at an angle to the house. Thus, the addition on the front requires a reduction of the south side setback from 12 feet to 10.6 feet, and the addition to the rear requires a reduction of the north side setback from 12 feet to 5 feet. The 1,480 sq. ft. two story structure was built in 1958 in its current configuration. The applicant proposes the 1,090 sq. ft. addition to modernize the existing structure and to bring the structure into conformance with the minimum house size of 2,100 sq. ft.

The subject property is unique in that the house is parallel to the street yet the side lot lines are at an angle to the house. Given the existing configuration of the driveway and orientation of the house, the variances proposed are the minimum variances needed to construct the proposed addition and the hardship is not self-imposed.

STAFF COMMENTS

The applicant is requesting to deviate from the City's side setback requirement of 12 feet in the R-20 zoning district, found in section 801 of the Zoning Ordinance. 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 them to be in compliance with the review standards. Similar variances for accessory structure height and area increases have been granted, and Community Development believes that the requested variance will not adversely affect surrounding residents. At the time of this report, Community Development has not received any phone calls in opposition to the variance request. Therefore, Community Development recommends **approval** of the requested variance with the following condition:

1. Approval of the subject property for the requested variance shall be conditioned upon substantial compliance with the site plan submitted.

Figure – 1



Figure – 2
Subject Property



Figure – 3
Subject Property



A photograph of a single-story brick house with a covered porch, surrounded by large trees and greenery. The house has a dark roof and white trim around the windows. The porch is supported by brick pillars. The house is set in a lush, wooded area with many large trees and green foliage. The foreground shows a grassy lawn and a dirt path leading towards the house.

BEARING OF RECORD
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PINE TREE DRIVE (30' RM)

1/2" OPEN TOP PIPE FOUND

ASPHALT
EXISTING DRIVE WAY

25' FRONTYARD SETBACK LINE

65' R/L

EXISTING 2 STY. BRK #3389

CONCRETE

EXISTING 2 STY. BRK #3389

PROPOSED 2 STY. BRK #3389

CHAIN LINK FENCE

**LOT 4
PROPERTY OF
FRANK M. COLLIER, JR.
PB 17, PG 192**

**LOT 3
PROPERTY OF
FRANK M. COLLIER, JR.
PB 17, PG 192**

**LOT 2
PROPERTY OF
FRANK M. COLLIER, JR.
PB 17, PG 192**

1/2" CRIMPED TOP PIPE FOUND (BENT)

5' SIDEYARD SETBACK LINE

5' SIDEYARD SETBACK LINE

5' SIDEYARD SETBACK LINE

5' SIDEYARD SETBACK LINE

1/2" CRIMPED TOP PIPE FOUND

METAL FENCE

**LOT 15
COLLIER GATE
PB 200, PG 76-78**

**LOT 16
COLLIER GATE
PB 200, PG 76-78**

240' TO SOUTH LINE OF LAND LOT 597

PP

SCALE: 1/16" = 1'-0"

SITE PLAN

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