



City of Smyrna

2800 King Street
Smyrna, GA 30080
www.smyrnacity.com

Issue Sheet

File Number: V17-022

Agenda Date: 4/26/2017

Version: 1

Status: Agenda Ready

In Control: License and Variance Board

File Type: Variance Request

Agenda Number: C.

WARD: Ward 3

COMMITTEE: Community Development

\$ IMPACT: N/A

Agenda Title:

Public Hearing - Variance Request - V17-022 - Reduction of front setback from 50 feet to 40 feet for existing canopy - Land Lot 412 - 0.52 acres - 3402 S Cobb Drive - Cascade Properties LLC

ISSUE: The applicant is proposing to redevelop an existing gas station located at 3402 S Cobb Drive. The applicant has requested several variances for a new structure at the rear of the property as well as variances to maintain the existing non-conforming canopy. The subject property is 0.52 acres, zoned General Commercial, and is subject to the South Cobb Drive Corridor Design District, and the minimum yard requirements found in Section 802. This request is associated with V17-021 to V17-025.

BACKGROUND: The applicant is requesting reductions in both front setbacks and the rear setback, a parking space reduction, and to allow the dumpster in the side yard. 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. After a review of the standards above and consideration of the City Engineer's recommendations, Community Development believes that the setback encroachments will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following conditions:

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.
2. The dumpster will be enclosed on three sides by brick.

RECOMMENDATION/REQUESTED ACTION: The License and Variance Board hold a public hearing per Section 1400 of the Smyrna Code.

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