

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: June 7, 2017

**RE: VARIANCE CASE V17-029
3498 Vinings North Trail – Allow reduction of rear setback from 35 ft. to 28 ft. for
an addition to a single family residence.**

BACKGROUND

The applicant is requesting a variance to reduce the rear setback from 35 feet to 28 feet at 3498 Vinings North Trail for an addition to a single family residence. Section 801 of the city's code of ordinance requires a rear setback of 35 feet in the R-20 zoning district.

ANALYSIS

The subject parcel is located at the intersection of Vinings North Trail and Ashwood Drive (see Figure 1). The subject parcel is zoned R-20, and is occupied by a single-family residence. The adjacent properties to the north, south, east and west are zoned R-20 and are developed with detached single family homes.

The applicant is proposing to construct a 16 ft. x 20 ft. sunroom to the rear of the existing structure which presently consists of a 10 ft. x 15 ft. raised wooden deck. The subject property is a corner lot, and is approximately 0.48 acres. The existing home is approximately 1,718 sq. ft. and there is sufficient area within the building lines in which to expand. However, due to the orientation of the existing home on the lot, and the orientation of the floor plan within the home, only the area within the rear setback provides feasible access to the rear yard as the home is currently constructed. Thus, the area proposed for the home addition is the most feasible and requires the minimum variance needed without significant reconstruction of the existing home.

The shape of the subject property is square rather than rectangular which is also unique. After setback limitations are applied, there is limited buildable area on the lot (Figure 5). The hardship is not self-created as the lot was platted in 1984. The variance proposed is the minimum variance needed to make the reasonable expansion to the existing home. If approved Community Development believes there should be no negative impacts to adjacent properties from the addition.

STAFF COMMENTS

The applicant is requesting to deviate from the City's rear setback requirement of 35 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 rear setback reductions 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
Adjacent Property



Figure – 4
Adjacent Property



Figure – 5
Site Plan

