

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: June 22, 2017

**RE: VARIANCE CASE V17-033
3683 Ashwood Drive – Reduction of side setback from 10 feet to 0 feet for
construction of a carport.**

BACKGROUND

The applicant is requesting a variance to reduce the side setback for 3683 Ashwood Drive from 10 ft. to 0 ft. for the construction of a carport 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 10 ft.

ANALYSIS

The subject parcel is located on the east side of Ashwood 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 side setback from 10 ft. to 0 ft. to allow a carport on an existing single family residence. The subject property is 0.18 acres. The existing home is a single family one story structure and the existing driveway extends up to the side property line. The carport is proposed with a width of 10 ft. The existing home was constructed up to the 35 ft. front setback and 10 ft. side setback, leaving no other area to construct a carport. The adjacent property is oriented approximately 10 ft. from the side property line, with its driveway on the opposite side, leaving adequate separation between the two structures.

The subject property was constructed with a non-conforming driveway setback of 0 ft., thus the hardship is not self-created. 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 so long as appropriate gutters and downspouts are installed

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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 ft. The applicant is requesting a reduction of the side setback for 3683 Ashwood Drive to 0 ft. for a carport 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 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. Gutters and downspouts will be installed to divert stormwater away from adjacent properties.

Figure – 1



Figure – 2
Subject Property



Figure – 3
Adjacent Property



Figure - 4
Site Plan

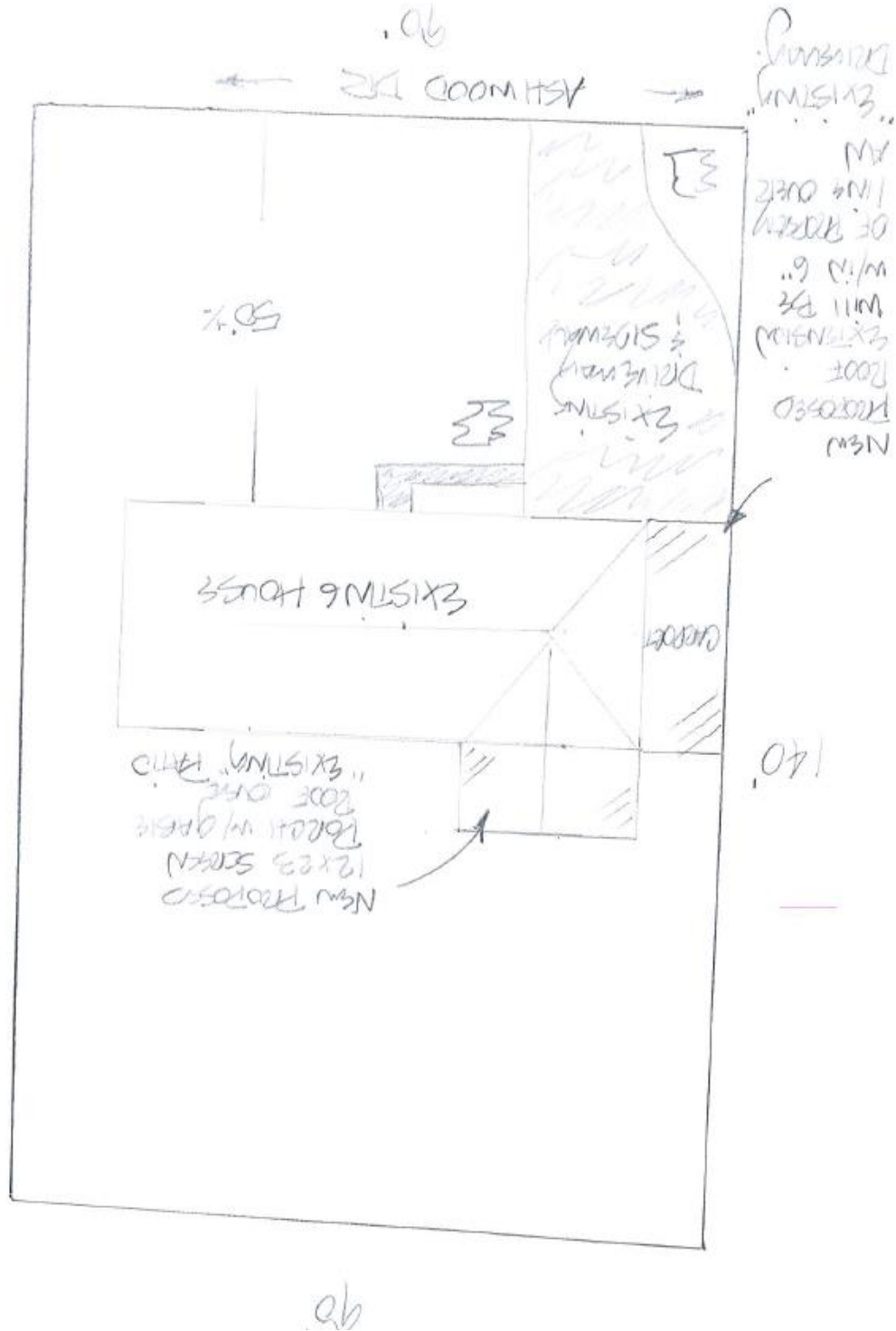


Figure – 5
Proposed Carport

