

# **CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM**

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To: License and Variance Board

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

Date: June 22, 2017

**RE: VARIANCE CASE V17-034  
1968 Inverness Road – Reduction of front setback from 35 feet to 30 feet for  
construction of a two car garage.**

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## **BACKGROUND**

The applicant is requesting a variance to reduce the front yard setback for 1968 Inverness Road from 35 ft. to 30 ft. for the construction of a two car garage 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 ft.

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## **ANALYSIS**

The subject parcel is located on the east side of Inverness Road (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 ft. to 30 ft. to allow a an attached two car garage on an existing single family residence. The subject property is 0.39 acres. The existing home is a single family one story home constructed with a front setback of approximately 55 ft. and side setbacks of approximately 15 ft. The required front setback in the R-15 zoning district is 35 ft. and side setback requirement is 10 ft. Due to the side setback limitations, the applicant is proposing to add an attached two car garage (25 ft. by 25 ft.) to the front of the home with a front setback of 30 ft. The applicant is proposing other additions to the rear of the home that require no setback reductions.

The applicant is proposing to construct an attached two car garage to the front of the home with a front setback of 30 ft. Due to the orientation of the home as originally constructed, the front is the only feasible area to place the addition, and the hardship is not self-created. The variance proposed is the minimum variance needed to accomplish the addition. Community Development believes that the encroachment will not adversely affect surrounding residents.

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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 front yard setback of 35 ft. The applicant is requesting a reduction of the front setback for 1968 Inverness Road to 30 ft. in order to construct an attached two car garage 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 condition:

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.

Figure – 1



**Figure – 2**  
**Subject Property**



**Figure – 3**  
**Adjacent Property**





**Figure – 4**  
**Adjacent Property**



Figure – 5  
Site Plan

