

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: September 8, 2017

**RE: VARIANCE CASE V17-047
953 Sharon Circle– Allow reduction of side setback from 10 feet to 5.7 feet for
addition to an existing single family residence**

BACKGROUND

The applicant is requesting a variance to reduce the side setback from 10 feet to 5.7 feet at 953 Sharon Circle for an attached garage addition at an existing single family residence. Section 801 of the city's code of ordinance requires a rear setback of 10 feet in the R-15 zoning district.

ANALYSIS

The subject parcel is located on the north Sharon Circle (see Figure 1). The subject parcel is zoned R-15, and is occupied by a single-family residence. The adjacent properties to the north, south, east, and west are zoned R-15 and are developed with detached single family homes.

The applicant is proposing to build an attached garage at an existing single family residence. The property is 0.28 acres and contains a 964 sq. ft. home. The garage is proposed to be in alignment with the existing driveway. As the home was not built in the center of the lot, the driveway (east) side of the property has less buildable area than the west side. The applicant is requesting a side setback variance that ranges from 8.1 feet to up to 5.7 feet, since the home is built at a slight angle. Additionally, the minimum house size for R-15 is 2,000 sq. ft. The proposed addition will increase the size of the existing 964 sq. ft. and bring it closer into compliance.

The adjacent property is also shifted more to the east side of the lot, so there is sufficient separation between the two structures. Due to the amount of separation between the proposed and adjacent structure, the adjacent property owner would not be deprived of any buildable area should this request be approved.

The location of the home on the subject property is a unique condition that limits how the existing home may be remodeled. Community Development believes the variance requested is the minimum variance needed to build the attached garage, and help to bring the home up to the minimum building size of 2,000 sq. ft. for the R-15 zoning district.

STAFF COMMENTS

The applicant is requesting to deviate from the City's side setback requirement of 10 feet in the R-15 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 request against the variance review standards and found them to be in compliance with the review standards. Similar variances for additions 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
Aerial of Subject Property



Figure – 2
Subject Property



Figure – 3
Rear of Subject Property and Adjacent Property



Figure – 4
Adjacent Property



Figure – 5
Site Plan

