

# **CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM**

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To: License and Variance Board

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

Date: April 6, 2018

**RE: VARIANCE CASE V18-032**  
**1515 Walker Street – Reduction of Rear Setback from 30 feet to 26 feet for an addition to a single family residence.**  
**VARIANCE CASE V18-033**  
**1515 Walker Street – Reduction of Side Setback from 10 feet to 8 feet for an addition to a single family residence.**  
**VARIANCE CASE V18-034**  
**1515 Walker Street – Increase impervious coverage maximum from 35% to 54.3% of lot area.**

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## **BACKGROUND**

The applicant is requesting a variance to reduce the rear yard setback for 1515 Walker Street to 26 feet, and side setback reduction to 8 feet for an addition to 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 feet and a driveway setback of 5 feet. The applicant is also requesting an increase in impervious coverage from 35% to 54.3%. The existing house is non-conforming at 53.7% impervious coverage.

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## **ANALYSIS**

The subject parcel is located on the north side of Walker Street (See Figure 1). The subject parcel and all adjoining parcels to the north, south, east, and west are zoned R-15 and all are occupied by single family detached homes.

The applicant is proposing to remodel the existing single family house by adding on to the rear of the existing structure. The subject property is approximately 0.14 acres or 6,214 sq. ft. The existing house was constructed in 1929 and is 1,136 sq. ft. Minimum lot size for R-15 is 15,000 sq. ft., with a minimum house size of 2,000 sq. ft. The existing house has non-conforming setbacks on all sides, and the existing impervious coverage is 53.7%.

The applicant is proposing to remove the rear deck on the existing structure to build a 12 ft. by 32 ft. master bath and bedroom. The new addition will not encroach the rear setback any further than the current structure. Due to the irregular shape and size of the lot, the building

envelope is constrained, and the rear is the only feasible area to construct the addition. The addition will only marginally increase the impervious coverage of the lot from 53.7% to 54.3%, as the applicant is replacing materials that are already impervious.

The subject property has existing non-conforming setbacks and impervious coverage, and was constructed prior to the adoption of zoning. Additionally, the lot is below the minimum lot size, and has a unique shape. The applicant would like to construct an addition where an existing non-conforming deck is currently. Community Development believes the variances requested are the minimum variances needed to build the addition. The hardship is not self-imposed, as the 0.14 acre lot has a narrow building envelope and is an existing lot of record. Community Development does not foresee any negative impacts to adjacent properties should the variances be approved. Community Development has not received any opposition to the request.

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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 rear yard setback of 30 feet, side setback of 10 feet, and impervious coverage maximum of 35%. The applicant requests variances to maintain the existing non-conforming setbacks and marginally increase the non-conforming impervious coverage to remove a deck and build an addition in its place. 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. 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 variances 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 and elevations submitted with the variance application.





**Figure – 3**  
**Subject Property**



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



**Figure 5 – Adjacent Property**



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**NOTES**  
 All be marked with 1/2" rebar pins as noted.  
 Station was used to obtain the angular measurements used in the preparation of this plat.  
 The plat is based on a 1" in 16,148 feet and no angle adjustment has been calculated for closure be accurate within one foot in 16,148 feet.

Now or Formerly  
 PIN: 17059300880  
 WALKER STREET SE  
 GARETT & REBECCA PLYLER  
 DEED BOOK 15021, PAGE 5863

344' long R/W of Walker Street to the intersection of the R/W of Walker Court  
 Per Deed Book 14543, Page 3356

**Flood Note**  
 TO F.I.R.M. COMMUNITY PANEL #306700119H, ON 03/04/2013 AND PART OF THIS PROPERTY IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS NOTED IN ZONE "X".  
 FYRRA 130057

CURVE TABLE			
BEARING	CHORD	ARC	RADIUS
CI N74°00'44"W	74.85	75.02	314.64
CI N73°57'07"W	73.79	73.96	314.64

**ZONING PER CITY OF SMYRNA ARCS.COM & MUNICODE WEBSITE**  
 Minimum Lot Coverage - 36%, Minimum Lot Width At Setback - 85 Feet  
 Minimum Front Setback From Street R/W - 30 Feet  
 Minimum Side Setback - 10 Feet, Minimum Rear Yard Setback - 30 Feet  
 Maximum Height Of Structure - 35 Feet

**ZONING SETBACKS FOR PIN: 17059300130 - Max Coverage - As Proposed**  
 Left Side - 8 Ft, Right Side 0 Ft, Rear - 26 Ft, Maximum Height - 35 Ft

**GRAPHIC SCALE**  
 0 20 40 80

**TRACT AREA**  
 Record - 6,214,236 SF, 0.1423  
 Field - 6,234,226 SF, 0.1431

**LEGEND**  
 SS = Sanitary Sewer  
 R/W = Right of Way  
 PP = Power Pole  
 IPF = 1/4" Iron Rebar  
 IPF = Iron Pin Foundation  
 SP = Service Pole  
 LP = Light Pole  
 POB = Point of Beginning  
 CL = Chain Link Fence  
 SSMH = Sewer Manhole  
 JB = Junction Box  
 DI = Drop Inlet  
 PL = Property Line  
 SS = Sanitary Sewer  
 WM = Water Meter  
 (F) = Field Measurement  
 (R) = Record Measurement  
 = Power Line

**IMPERVIOUS AREA (SQUARE FEET)**  
 PER FIELD MEASURED LOT AREA  
 ALL MEASUREMENTS TO PROPERTY LINE

1. MAIN HOUSE - 1,149.10 SqFt - 18.43%
2. GARAGE - 363.18 SqFt - 5.82%
3. FRONT PORCH - 603.81 SqFt - 9.68%
4. REAR COVERED DECK - 115.66 SqFt - 1.77%
5. REAR DECK - 110.68 SqFt - 1.77%
6. PROPOSED ADDITION - 384 SqFt
7. MAIN HOUSE, GARAGE WITH ADDITION - 1,772.02 SqFt - 28.42%
8. FRONT WALK - 94.11 SqFt - 1.50%
9. ASPHALT AND CONCRETE DRIVE TO RW - 916.53 SqFt - 14.72%

**TOTAL IMPERVIOUS AREA BEFORE ADDITION**  
 3,353.07 SQUARE FEET = 53.784%

**TOTAL IMPERVIOUS AREA AFTER ADDITION**  
 3,386.47 SQUARE FEET = 54.320%

**GEORGIA**  
 REGISTERED  
 No. 2104  
 PROFESSIONAL  
 LAND SURVEYOR  
 KENNETH L. NUTT