



City of Smyrna

2800 King Street
Smyrna, GA 30080
www.smyrnacity.com

Issue Sheet

File Number: V18-046

Agenda Date: 6/13/2018

Version: 1

Status: Agenda Ready

In Control: License and Variance Board

File Type: Variance Request

Agenda Number: C.

WARD: 2

COMMITTEE: Community Development

\$ IMPACT: N/A

Agenda Title:

Public Hearing - Variance Request - V18-046 - Allow reduction of side setback from 10 feet to 1 foot for a carport addition to a single family residence - 0.31 acres - Land Lot 778 - 2474 Spring Drive - Thomas DeSousa

ISSUE: The applicant is requesting a variance to reduce the side setback from 10 feet to 1 foot in order to construct a carport to a single family home at 2474 Spring Drive. Section 801 requires a side setback in R-15 zoning district of 10 feet. The applicant has constructed a 12 ft. by 18 ft. carport on the north side of the house. The City Marshall was notified and informed the owner that the structure is within the side setback. The City approved a similar variance on Rolling View Drive recently, and there are similar non-conforming structures in the neighborhood as well (See Figure 5). The carport was constructed in this location because the driveway is on the north side of the property, and there is no other reasonable location in which to place the carport. An adjacent property owner contacted Community Development and has concerns about stormwater runoff impacting their property.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by the City for the side setback of 10 feet. The applicant is



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requesting a
variance to reduce the side setback to 1 foot for a carport attached to a single family residence.
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. 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 provided gutters and downspouts are installed; 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.Downspouts and gutters will be installed to divert stormwater away from adjacent
properties.
- 3.If approved, applicant shall apply for building permit and have inspections in order to ensure
the structure meets building code requirements.

REQUESTED ACTION: License and Variance Board hold a public hearing per Section 1400 of
the Smyrna Code.