

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: September 7, 2018

**RE: VARIANCE CASE V18-060
621 Highview Drive – Allow front setback reduction from 35 feet to 22 feet for
addition to a single family residence**

BACKGROUND

The applicant is requesting a variance to reduce the front setback from 35 feet to 22 feet in order to construct an addition on an existing single family home at 621 Highview Drive. Section 801 requires a front setback in R-15 zoning district of 35 feet.

ANALYSIS

The subject parcel is located at the intersection of Highview Drive and Cherrydale Lane (See Figure 1). The subject parcel and adjoining parcels to the north, south, east, and west are zoned R-15 and are occupied with single family homes. The subject property is 0.32 acres (13,939 sq. ft.) and the existing home is approximately 1,200 sq. ft.

The applicant is proposing to remodel an existing single family home, and build an addition at the front of the home. The subject property is non-conforming as the minimum lot size for R-15 is 15,000 sq. ft., and the subject property is 13,939 sq. ft. The subject property is also a corner lot with front setbacks along Highview Dr. and Cherrydale Ln. Additionally, the existing structure is facing the intersection, rather than either road frontage, leaving minimal area to construct the addition.

The angle of the existing structure and non-conforming lot size are unique circumstances applying to the subject property which reduce the buildable area of the lot. The hardship is not self-created since the lot size and angle of the home have existed since the original house was constructed. Strict application of the ordinance would prevent the applicant from constructing the addition. The variance proposed is the minimum variance needed, and should have no negative impact on adjacent properties. Community Development has not received any call in opposition to the request.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by the City for the front setback of 35 feet. The applicant is requesting a variance to reduce the front setback to 22 feet to construct an addition 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; 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
Proposed Site Plan

