



# City of Smyrna

2800 King Street  
Smyrna, GA 30080  
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## Issue Sheet

File Number: V19-026

**Agenda Date:** 7/10/2019

**Version:** 1

**Status:** Agenda Ready

**In Control:** License and Variance Board

**File Type:** Variance Request

**Agenda Number:** C.

**WARD:** 6

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Agenda Title:**

**Public Hearing** - Variance Request - V19-026 - Allow reduction of veterinary clinic distance from 200 feet to 25 feet from residential property - Land Lot 528 - 0.86 acres - 3875 S Cobb Drive - Blue Frog LLC - Shawn Rainey

**ISSUE:** The applicant is requesting a variance to reduce the 200 ft. distance requirement of a veterinary clinic from residential property at 3875 S Cobb Drive. The clinic is proposing to use an existing building 25 ft. from residential property as a veterinary clinic. Section 712.3 controls the location of veterinary clinics in the Code of Ordinances. The subject property was previously occupied by a convenience store /gas service station and has been vacant for a several years. The applicant is requesting to use the property as-is, for use as a veterinary clinic. The only change to the structure will be to remove a gate on the larger dumpster enclosure behind the building and to fully enclose it. The existing building is approximately 25 feet from a residential property line at the rear of the subject property; however the nearest residential structure is approximately 70 feet away. The applicant requested a second variance in their application to allow an accessory structure. Community Development has determined that variance is not necessary as the accessory structure is an existing condition on the property.

**BACKGROUND:** None

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting a variance to reduce the distance requirement for a veterinary clinic from residential property. 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 not received any calls in opposition to the request. After a review of the standards above Community Development believes that the variance will not adversely affect surrounding properties; therefore, staff recommends **approval** of the requested variance with two conditions:

1. Applicant will agree not to permit animals to be kenneled or exercised in the area between

commercial and residential uses.

2. Within the newly enclosed area, the applicant shall only permit a single animal at a time to be within the area, and the animal will be leashed and supervised by a dedicated animal hospital personnel.

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