

# **CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM**

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To: License and Variance Board

From: Rusty Martin, Community Development Director  
Caitlin Crowe, Planner I

Date: November 7, 2019

**RE: VARIANCE CASE V19-057  
2768 Bell Drive – Reduce building front setback from 15 feet to 14.3 feet**

**VARIANCE CASE V19-058  
2768 Bell Drive – Reduce porch front setback from 10 feet to 9.8 feet**

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## **BACKGROUND**

The applicant is requesting a variance to build a front porch on a new single-family townhome residence at 2768 Bell Drive. During rezoning in 2017 (zoning case Z17-016), the subject property was approved with conditions for front setbacks of 15 feet for the townhome building and 10 feet for the front porches. The plans were submitted and approved with foundations meeting the setback requirements listed in the zoning stipulations. However, when the townhome building was constructed, each of the townhomes within the building were over the required setbacks. Coupled with additional façade materials on the exterior of the building, several sections of the building encroached in the setback requirements.

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## **ANALYSIS**

The subject parcel is located on the west side of Bell Drive (see Figure 1). The subject parcel and all adjacent parcels are zoned RM-15, all of which will be occupied with single-family townhomes. The properties to the north, south, and west are still under construction. The subject property is currently being developed for a new single-family townhome residence within the Woodbury subdivision.

The townhome building has frontage on two streets, the front of the townhome facing Bell Drive and the rear of the townhome facing Oakbourne Lane. The townhome will be rear-entry with the garage and driveway off Oakbourne Lane.

The rear-entry driveway is the required 22 feet in length, which, together with the shallow depth of the property in between the two streets, creates the encroachment into the building front setback by 0.7 feet. This in turn offset the porch front setback by 0.2 feet.

Community Development believes that the encroachment will not adversely affect the surrounding residents. At 0.7 feet for the building setback and 0.2 feet for the porch setback, the requested variances for the encroachments will not be noticeable to the general public. Community Development has not received any calls in opposition to the request.

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## STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by zoning case Z17-016 for the front building setback of 15 feet and the front porch setback of 10 feet. The applicant is requesting a variance to reduce the front building setback to 14.3 feet and the front porch setback to 9.8 feet to construct a front porch on a new 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 the four (4) standards. Community Development has not received any calls in opposition to the request. After a review of the standards above, Community Development believes that the encroachments will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances.

Figure – 1



**Figure – 2**  
**Subject Property from Bell Drive**



**Figure – 3**  
**Subject Property from Oakbourne Lane**





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



**Figure – 5**  
**Adjacent Property**



**Figure – 6**  
**Adjacent Property**



**Figure – 7**  
**Site Plan**

