

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

### MEMORANDUM

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To: License and Variance Board

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

Date: April 12, 2021

**RE: VARIANCE CASE V21-038**  
**2740 Morris Circle – Allow new construction on lot of record below minimum lot size requirements**

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#### **BACKGROUND**

The applicant is requesting to build a new single-family home at 2740 Morris Circle on a substandard lot. Section 1208 requires a variance to build on a lot of record below minimum lot size requirements.

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#### **ANALYSIS**

The subject parcel is a 0.23-acre vacant lot located on the north side of Morris Circle (see Figure 1). The subject parcel and all adjacent parcels are zoned R-15 and are occupied by detached single-family homes. The subject parcel is located within the Morris Manor Subdivision, which was platted in 1946, prior to the current zoning ordinance, which was implemented in 1976.

The previous property owner pulled a demolition permit in August 2019 to remove the existing 1,046 square foot home with the intention of rebuilding on the property with a new single-family home. The property was then sold as a vacant lot. The new applicant is proposing to build a new 3,405 square foot two-story single-family home which will consist of 4 bedrooms, 3.5 bathrooms, and a 2-car garage. The new home will be in the craftsman/farmhouse style to match nearby homes with a mixture of masonry and cement siding. The lot is 10,572 square feet and the R-15 Zoning District requires lots to be a minimum of 15,000 square feet in size. Since the subject property is an existing lot of record, originally platted in 1946, the hardship is not self-created. In fact, none of the adjacent properties meet the minimum 15,000 square feet lot size. The proposed home will meet all the R-15 zoning requirements and no other variances are required to build the new home.

The subject property is unique in that it has less square footage than what the R-15 zoning district requires. The hardship is not self created as the property is an existing lot of record, originally platted in 1946. The variance requested is the minimum variance needed to build a new single-family home on the subject property. Community Development does not believe building a new single-family home on the subject property in accordance with the R-15 zoning requirements will negatively impact the surrounding properties.

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**STAFF COMMENTS**

The applicant is requesting to deviate from the City's minimum lot area requirement established for the R-15 Zoning District. 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 and believes that the variance 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 and elevations submitted with the variance application.

**Figure - 1**



Figure – 2  
Site Plan

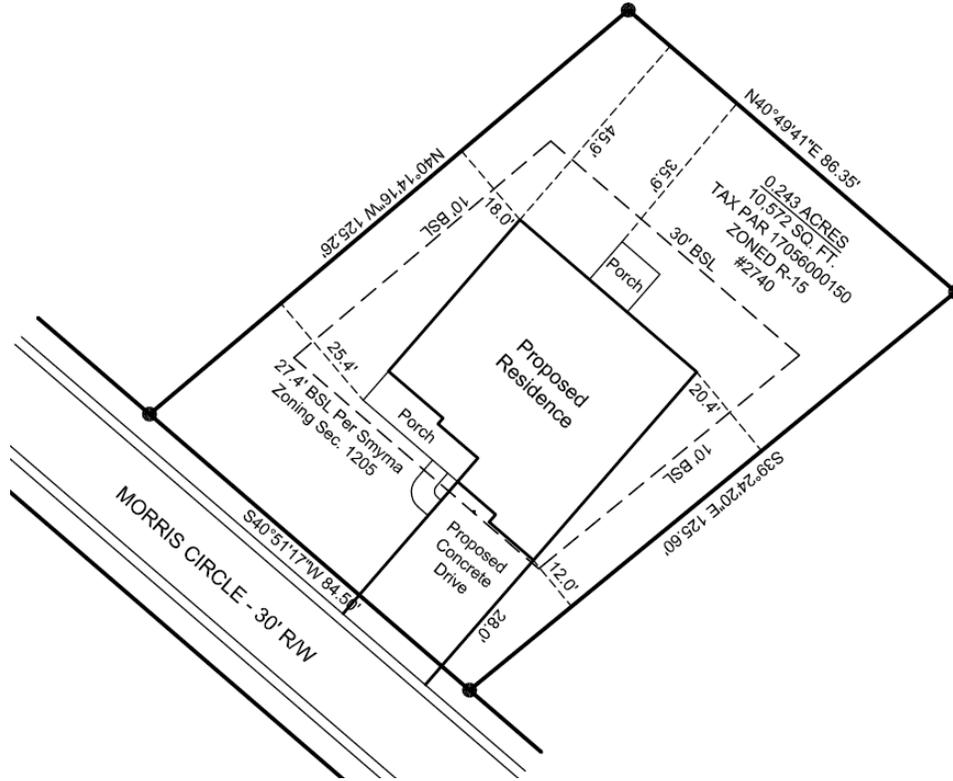


Figure – 3  
Front Elevation



**Figure – 4**  
**Subject Property**



**Figure – 5**  
**Adjacent Property across Morris Circle**



**Figure – 6**  
**Adjacent Property to the East**



**Figure – 7**  
**Adjacent Property to the West**

