



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** 2021-492      **Version:** 1      **Name:** Variance Request - V21-114 - 1533 Collier Drive  
**Type:** Variance Request      **Status:** Agenda Ready  
**File created:** 10/21/2021      **In control:** License and Variance Board  
**On agenda:** 10/27/2021      **Final action:** 10/27/2021  
**Title:** Public Hearing - Variance Request - V21-114 - Allow reduction of the street-side setback from 23 feet to 13 feet - Land Lot 596 - 0.45 acres - 1533 Collier Drive - William and Bailey Ward

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. VarmemoV21-114.pdf, 2. Site Plan.pdf, 3. Front & Side.pdf, 4. Garage Side Elevation.pdf, 5. Existing Survey.pdf, 6. Variance Application.pdf

Date	Ver.	Action By	Action	Result
10/27/2021	1	License and Variance Board	Approved	Pass

**WARD / COUNCILMEMBER:** Ward 6 / Councilmember Gould

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V21-114 - Allow reduction of the street-side setback from 23 feet to 13 feet - Land Lot 596 - 0.45 acres - 1533 Collier Drive - William and Bailey Ward

### **ISSUE AND BACKGROUND:**

Applicant is requesting a variance to reduce the street-side setback for 1533 Collier Drive from 23 feet to 13 feet for an addition to a single-family home. The minimum front setback is required based upon the standards associated with the R-20 district per Section 801 and Section 1202 of the Zoning Code.

**RECOMMENDATION / REQUESTED ACTION:** The applicant requests a variance to reduce the street-side setback for 1533 Collier Drive from 23 feet to 13 feet for the construction of an attached garage. According to Section 1403 of the Zoning Code, 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 a 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. Furthermore, there is a precedent for variances of this type in the area. 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:

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.