



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** 2019-388      **Version:** 2      **Name:** V19-053 - 2762 Bell Drive  
**Type:** Variance Request      **Status:** Held in Committee  
**File created:** 10/18/2019      **In control:** License and Variance Board  
**On agenda:** 11/13/2019      **Final action:** 11/13/2019  
**Title:** Public Hearing - V19-053 - Reduce porch front setback from 10 feet to 8.6 feet - Land Lot 809 - 2762 Bell Drive - Weekley Homes, LLC

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Issue Sheet, 2. Varmemo\_V19-053.pdf, 3. Application\_V19-051.pdf, 4. Elevations\_V19-051.pdf, 5. Revised Site Plan\_V19-053.PDF

Date	Ver.	Action By	Action	Result
11/13/2019	2	License and Variance Board	Approved with Condition(s)	Pass
10/23/2019	1	License and Variance Board	tabled	Pass

**WARD:** Ward 1

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - V19-053 - Reduce porch front setback from 10 feet to 8.6 feet - Land Lot 809 - 2762 Bell Drive - Weekley Homes, LLC

The applicant is requesting a variance to build a front porch on a new single-family townhome residence at 2762 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 tabled 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.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting to deviate from the development standards established by zoning case Z17-016 for the front porch setback of 10 feet. The applicant is requesting a variance to reduce the front porch setback to 8.6 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 undue 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 encroachment will not adversely affect surrounding residents; therefore, recommends **approval** of the requested variance.