



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: 2021-279 **Version:** 6 **Name:** Variance Request - V21-053-A - 1355 Marston Street

Type: Variance Request **Status:** Agenda Ready

File created: 7/8/2021 **In control:** License and Variance Board

On agenda: 10/13/2021 **Final action:** 10/13/2021

Title: Public Hearing - Variance Request - V21-053-A - Increase the maximum impervious area from 35% to 48.7% for a swimming pool - Land Lot 561 - 1355 Marston Street - Kenya Brock & Yvonne Lloyd

Sponsors:

Indexes:

Code sections:

Attachments: 1. Issue Sheet 2021-279 - V21-053 - 1355 Marston St.pdf, 2. Varmemo_V21-053.pdf, 3. Application_V21-053.pdf, 4. Site Plan V4.pdf

Date	Ver.	Action By	Action	Result
10/13/2021	6	License and Variance Board	Approved	Pass
10/13/2021	6	License and Variance Board	Approved	Pass
9/22/2021	3	License and Variance Board	Tabled to a Specific Date	Pass
9/8/2021	3	License and Variance Board	Tabled to a Specific Date	Pass
7/28/2021	2	License and Variance Board	Tabled to a Specific Date	Pass
7/14/2021	1	License and Variance Board	Tabled	Pass

WARD / COUNCILMEMBER: Ward 3 / Travis Lindley

\$ IMPACT: N/A

Public Hearing - Variance Request - V21-053-A - Increase the maximum impervious area from 35% to 48.7% for a swimming pool - Land Lot 561 - 1355 Marston Street - Kenya Brock & Yvonne Lloyd

AND BACKGROUND:

Applicant is seeking variances to allow for an increase in the impervious surface area from 35% to 48.7% and to allow for an accessory structure to construct an inground pool at 1355 Marston Street. Section 801 sets the maximum impervious area in the R-15 zoning district whereas Section 501 controls the maximum allowable number of accessory structures.

RECOMMENDATION / REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a maximum impervious area of 35%. The applicant is requesting to increase the impervious surface area to 48.7% to allow for the construction of an inground swimming pool. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether the circumstances are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is caused by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the ordinance 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 appropriate.

compliance with four (4) of the four (4) standards. After a review of the standards above, Community Development s that the impervious surface increase will not adversely affect surrounding residents; therefore, staff recommends ral of the requested variance with the following condition:

Approval is conditioned upon substantial compliance with the site plan submitted with the variance application.