



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: V17-028 **Version:** 1 **Name:** V17-027 & 028 - 1408 Collier Drive
Type: Variance Request **Status:** Passed
File created: 6/9/2017 **In control:** License and Variance Board
On agenda: 6/14/2017 **Final action:** 6/14/2017
Title: Public Hearing - Variance Request - V17-028 - Allow encroachment within City's 75 ft. Impervious Setback.- 0.647 acres - Land Lot 557 - 1408 Collier Drive - Margaret Shannon/George and Lisa Wannamaker

Sponsors:

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Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------------|----------|--------|
| 6/14/2017 | 1 | License and Variance Board | Approved | Pass |

WARD: 6

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V17-028 - Allow encroachment within City's 75 ft. Impervious Setback.- 0.647 acres - Land Lot 557 - 1408 Collier Drive - Margaret Shannon/George and Lisa Wannamaker

The applicant is requesting a variance to reduce the driveway setback from 5 ft. to 3 ft. and to allow encroachment within the city 75 ft. impervious setback for 1408 Collier Drive. The applicant proposes resurfacing the existing driveway and to add an addition to the single family house. The existing driveway is non-conforming with respect to the driveway setback and impervious setback. This request is associated with V17-027.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by the City for the R-20 zoning district, as well as the impervious setback requirement. The applicant requests an encroachment into the 75 ft. impervious setback, where impervious materials currently exist and a driveway setback on a lot where a driveway currently exists. According to Section 1403 of the Zoning Ordinance, variances must be reviewed against 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 four (4) of the four (4) standards. At the time of this review, Community Development has not received any phone calls regarding the variance request. After a review of the

As stated above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following conditions:

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

Issuance of a building permit is contingent upon the submittal of a stormwater management plan that meets the requirements of the City Engineer.

REQUESTED ACTION: The License and Variance Board hold a public hearing per Section 1400 of the City of Smyrna Zoning Ordinance.