



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** V17-025      **Version:** 1      **Name:** 3402 S Cobb Dr - V17-025  
**Type:** Variance Request      **Status:** Passed  
**File created:** 4/20/2017      **In control:** License and Variance Board  
**On agenda:** 4/26/2017      **Final action:** 4/26/2017  
**Title:** Public Hearing - Variance Request - V17-021 - Allow accessory structure dumpster in side yard - Land Lot 412 - 0.52 acres - 3402 S Cobb Drive - Cascade Properties LLC  
**Sponsors:** Teri Anulewicz  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Issue Sheet V17-025.pdf

Date	Ver.	Action By	Action	Result
4/26/2017	1	License and Variance Board	Approved	Pass

**WARD:** Ward 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V17-021 - Allow accessory structure dumpster in side yard - Land Lot 412 - 0.52 acres - 3402 S Cobb Drive - Cascade Properties LLC

**ISSUE:** The applicant is proposing to redevelop an existing gas station located at 3402 S Cobb Drive. The applicant has requested several variances for a new structure at the rear of the property as well as variances to maintain the existing non-conforming canopy. The subject property is 0.52 acres, zoned General Commercial, and is subject to the South Cobb Drive Corridor Design District, and the minimum yard requirements found in Section 802. This request is associated with V17-021 to V17-025.

**GROUND:** The applicant is requesting reductions in both front setbacks and the rear setback, a parking space on, and to allow the dumpster in the side yard. According to Section 1403 of the Zoning Ordinance, variances must be ed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) er the variance proposed is the minimum variance needed. After a review of the standards above and consideration of y Engineer’s recommendations, Community Development believes that the setback encroachments will not adversely surrounding residents; therefore, staff recommends **approval** of the requested variances with the following conditions: approval of the requested variance shall be conditioned upon the development of the property in substantial ance with the site plan submitted with the variance application.

2. The dumpster will be enclosed on three sides by brick.

**RECOMMENDATION/REQUESTED ACTION:** The License and Variance Board hold a public hearing per Section 1400 of the Smyrna Code.

After a review of the standards above and consideration of the City Engineer's recommendations, Community Development staff concludes that the setback encroachments will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variances with the following conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan submitted with the variance application.

2. The dumpster will be enclosed on three sides by brick.