



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** V17-048      **Version:** 1      **Name:** V17-048 - 4533 Oak Brook Drive  
**Type:** Variance Request      **Status:** Passed  
**File created:** 9/8/2017      **In control:** License and Variance Board  
**On agenda:** 9/13/2017      **Final action:** 9/13/2017  
**Title:** Public Hearing - Variance Request - V17-048 - Allow rear setback reduction from 20 feet to 3 feet on existing single family residence - 0.20 acres - Land Lot 332 - 4533 Oak Brook Drive - Michael and Nichole Bradley

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. V17-048 - Staff Memo, 2. SITE PLAN, 3. Example, 4. APPLICATION

Date	Ver.	Action By	Action	Result
9/13/2017	1	License and Variance Board	Approved	Pass

**WARD:** 7

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V17-048 - Allow rear setback reduction from 20 feet to 3 feet on existing single family residence - 0.20 acres - Land Lot 332 - 4533 Oak Brook Drive - Michael and Nichole Bradley

The applicant is requesting a variance to reduce the rear setback from 20 feet to 3 feet at 4533 Oak Brook Drive for a 100 sq. ft. deck addition at an existing single family residence. Section 801 of the city's code of ordinance requires a rear setback of 20 feet in the RAD zoning district.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting to deviate from the City's side setback requirement of 20 feet in the RAD zoning district, found in section 801 of the Zoning Ordinance. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special 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 requests against the variance review standards and found them to be in compliance with the review standards. Similar variances for deck additions have been granted, and Community Development finds that the requested variance will not adversely affect surrounding residents. At the time of this report, Community Development has not received any phone calls in opposition to the variance request. Therefore, Community Development recommends **approval** of the requested variance with the following condition:

approval of the subject property for the requested variance shall be conditioned upon substantial compliance with plan submitted.

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