



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** V18-060      **Version:** 1      **Name:** 621 Highview Dr - V18-060  
**Type:** Variance Request      **Status:** Agenda Ready  
**File created:** 9/7/2018      **In control:** License and Variance Board  
**On agenda:** 9/12/2018      **Final action:** 9/12/2018  
**Title:** Public Hearing - Variance Request - V18-060 - Allow front setback reduction from 35 feet to 22 feet for an addition to a single family residence - Land Lot 384 - 0.32 acres - 621 Highview Drive - Jacob and Laura Tilton

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Varmemo - 18-060, 2. SITE PLAN, 3. ELEVATIONS, 4. APPLICATION

Date	Ver.	Action By	Action	Result
9/12/2018	1	License and Variance Board	Approved with Condition(s)	Pass

**WARD:** 4

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V18-060 - Allow front setback reduction from 35 feet to 22 feet for an addition to a single family residence - Land Lot 384 - 0.32 acres - 621 Highview Drive - Jacob and Laura Tilton

The applicant is requesting a variance to reduce the front setback from 35 feet to 22 feet in order to construct an addition on an existing single family home at 621 Highview Drive. Section 801 requires a front setback in R-15 zoning district of 35 feet. The subject property is non-conforming as the minimum lot size for R-15 is 15,000 sq. ft., and the subject property is 13,339 sq. ft. The subject property is also a corner lot with front setbacks along Highview Dr. and Cherrydale Ln. Currently, the existing structure is facing the intersection, rather than either road frontage, leaving minimal area to construct an addition.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting to deviate from the development standards established by the City for the front setback of 35 feet. The applicant is requesting a variance to reduce the front setback to 22 feet to construct an addition to a single family residence. According to Section 1403 of the Zoning Ordinance, variances are reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances relating 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. All variances have been approved throughout the city. At the time of this report, Community Development has not

and any phone calls regarding the variance request. After a review of the standards above, Community Development staff concludes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following condition:

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.

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