



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: V18-045 **Version:** 1 **Name:** 1375 Twin Oaks Cir - V18-045
Type: Variance Request **Status:** Agenda Ready
File created: 6/8/2018 **In control:** License and Variance Board
On agenda: 6/13/2018 **Final action:** 6/13/2018
Title: Public Hearing - Variance Request - V18-045 - Allow encroachment into the City's 75 ft. Impervious Surface Setback - 1.15 acres - Land Lot 555 - 1375 Twin Oaks Circle - Charles Spencer

Sponsors:

Indexes:

Code sections:

Attachments: 1. Issue Sheet

Date	Ver.	Action By	Action	Result
6/13/2018	1	License and Variance Board	Approved with Condition(s)	Pass

WARD: 6

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V18-045 - Allow encroachment into the City's 75 ft. Impervious Surface Setback - 1.15 acres - Land Lot 555 - 1375 Twin Oaks Circle - Charles Spencer

The applicant is requesting a variance to reduce the side setback from 12 feet to 8 feet in order to construct an attached garage addition on a single family home at 1375 Twin Oaks Lane. Section 801 requires a side setback in R-20 district of 12 feet. The applicant will also require relief from the City's 75 ft. Impervious Surface Setback as required in Ordinance 46, Article VI. This request is associated with V18-044.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by the City for the side setback of 12 feet. The applicant is requesting a variance to reduce the side setback to 8 feet to construct an attached two-car garage to a single family residence. The applicant also requires relief from the City's 75 ft. Impervious Surface Setback. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under 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 standards and found it to be in compliance with four (4) of the four (4) standards. Similar variances have been granted throughout the city. At the time of this report, Community Development has not received any phone calls regarding the variance request. After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following

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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. Prior to issuance of building permit, the applicant shall designate an area outside of the driveway setback, and equal to the area of the garage, to remain impervious.

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