



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: V17-0007 **Version:** 1 **Name:** 642 Concord Rd - V17-007
Type: Variance Request **Status:** Agenda Ready
File created: 2/3/2017 **In control:** License and Variance Board
On agenda: 2/8/2017 **Final action:** 2/8/2017
Title: Public Hearing - Variance Request - V17-007 - Allow reduction of side setback from 10 feet to 3 feet - 0.77 acres - Land Lot 381 - 642 Concord Road - City of Smyrna

Sponsors:

Indexes:

Code sections:

Attachments: 1. V17-007 - Staff Memo, 2. Application, 3. Site Plan

| Date | Ver. | Action By | Action | Result |
|----------|------|----------------------------|----------|--------|
| 2/8/2017 | 1 | License and Variance Board | Approved | Pass |

WARD: 5

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V17-007 - Allow reduction of side setback from 10 feet to 3 feet - 0.77 acres - Land Lot 381 - 642 Concord Road - City of Smyrna

The applicant is requesting a variance to reduce the side yard setback for 642 Concord Road from 10 feet to 3 feet proposed rebuild of Fire Station #2. The development standards established by the City for the R-15 zoning district a minimum side yard setback of 10 feet.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a minimum side yard setback of 10 feet. The applicant is requesting a reduction of the side setback to 3 ft. for 642 Concord Road for the rebuild of Fire Station #2. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unusual and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by the person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would prevent the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance necessary to allow the use. 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. Similar variances have been approved throughout the city so no negative precedent would be set. At the time of this report, Community Development has not received any phone calls regarding the 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 variance with the following conditions:

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