



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** V17-013      **Version:** 1      **Name:** 2621 Linnwood Drive - V17-013  
**Type:** Variance Request      **Status:** Failed  
**File created:** 2/20/2017      **In control:** License and Variance Board  
**On agenda:** 3/8/2017      **Final action:** 3/8/2017  
**Title:** Public Hearing - Variance Request - V17-013 - Allow front setback reduction from 35 feet to 30 feet - 0.29 acres - Land Lot 376 - 2621 Linnwood Drive - Jose Gustavo Sassman - Staff Requests the item be withdrawn

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Memo - 17-013.pdf, 2. Application.pdf

Date	Ver.	Action By	Action	Result
3/8/2017	1	License and Variance Board	withdrawn without prejudice	Pass
2/22/2017	1	License and Variance Board	Tabled Indefinitely	Pass

**WARD:** 5

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V17-013 - Allow front setback reduction from 35 feet to 30 feet - 0.29 acres - Land Lot 376 - 2621 Linnwood Drive - Jose Gustavo Sassman - **Staff Requests the item be withdrawn**

The applicant is requesting a variance to reduce the front yard setback for 2621 Linnwood Drive from 35 feet to 30 feet for the construction of a front porch on a single-family residence. The development standards established by the City for the R-15 zoning district require a minimum front yard setback of 35 feet. **After further investigation it was determined that the front porch meets the front setback requirement and no variance is required; therefore Staff requests that the item be withdrawn.**

**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 front yard setback of 35 feet. The applicant is requesting a reduction of the front setback for 2621 Linnwood Drive to 30 feet for a front porch on an existing single family residence. 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 review standards and found it to be in compliance with four (4) of the four (4) standards. Similar variances have been approved throughout the

no negative precedent would be set. At the time of this report, Community Development has not received any phone regarding the variance request. After a review of the standards above, Community Development believes that the chment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested e.

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