



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** V17-015      **Version:** 1      **Name:** 1358 Wynbrook Trace - V17-015  
**Type:** Variance Request      **Status:** Passed  
**File created:** 3/2/2017      **In control:** License and Variance Board  
**On agenda:** 3/8/2017      **Final action:** 3/8/2017

**Title:** Public Hearing - Variance Request - V17-015 - Allow additional accessory structure in rear yard - 0.83 acres - Land Lot 543 - 1358 Wynbrook Trace - Courtney and Matthew LaVallee

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Memo - V17-015, 2. Site Plan - V17-015, 3. Application - V17-015

Date	Ver.	Action By	Action	Result
3/8/2017	1	License and Variance Board	Approved	Pass

**WARD:** 7

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V17-015 - Allow additional accessory structure in rear yard - 0.83 acres - Land Lot 543 - 1358 Wynbrook Trace - Courtney and Matthew LaVallee

The applicant is requesting a variance for an additional accessory structure at 1358 Wynbrook Trace for an in-ground swimming pool where a basketball court and batting cage already exists. Regulations governing accessory structures are based upon the standards associated with Section 501.11 of the Zoning Code.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting to deviate from the City's requirement regarding accessory structures under Section 501.11 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 or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having no control over the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of a 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. Furthermore, variances of this type have been granted in the past. At the time of this report, Community Development has received no opposition to this request from surrounding property owners. Community Development recommends **approval** of the request to allow the in-ground pool in the rear yard.

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