



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: V17-040 **Version:** 1 **Name:** V17-040 - 5220 S Cobb Dr
Type: Variance Request **Status:** Passed
File created: 7/6/2017 **In control:** License and Variance Board
On agenda: 7/12/2017 **Final action:** 7/12/2017

Title: Public Hearing - Variance Request - V17-040 - Allow rear setback reduction from 50 feet to 41.6 feet for a new commercial building - 1.74 acres - Land Lot 753 - 5220 S Cobb Dr - Clipper Petroleum, Inc

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/12/2017	1	License and Variance Board	Approved	Pass

WARD: Ward 7

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V17-040 - Allow rear setback reduction from 50 feet to 41.6 feet for a new commercial building - 1.74 acres - Land Lot 753 - 5220 S Cobb Dr - Clipper Petroleum, Inc

The applicant is proposing to redevelop a vacant parcel located at 5220 S Cobb Drive. The applicant has requested several variances for the construction of a new gas station/drive thru restaurant. The subject property is 1.74 acres, zoned General Commercial, and is subject to the South Cobb Drive Corridor Design District, and the minimum yard requirements found in Section 802, and off-street parking requirements located in Article IX. This project is associated with V17-039 and V17-041.

BACKGROUND: The applicant is requesting reductions for the front and rear setback, and parking space reduction. 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. After a review of the standards above Community Development believes that the setback encroachments and parking reduction will not adversely affect surrounding residents

RECOMMENDATION/REQUESTED ACTION: Staff recommends **approval** of the requested variances 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; however, revisions as a result of

review that meet the general intent of the variance site plan may be approved by Community Development or.

Requested Action is for the License and Variance Board hold a public hearing per Section 1400 of the Smyrna Code