



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: V17-054 **Version:** 1 **Name:** V17-054 - 2552 S Cobb Dr
Type: Appeal **Status:** Passed
File created: 11/3/2017 **In control:** City Council
On agenda: 1/16/2018 **Final action:** 1/16/2018
Title: Public Hearing - Appeal the denial by the License and Variance Board for V17-054 - Allow accessory structure in front yard of commercial property - 4.95 acres - Land Lot 345 - 2552 S Cobb Drive - SunTrust
Sponsors: Susan Wilkinson
Indexes:
Code sections:
Attachments: 1. Issue Sheet V17-054 Appeal denial by LVB SunTrust stand alone ATM.pdf, 2. 2552 S Cobb - Variance Appeal, 3. Revised Plan for Mayor and Council, 4. Application, 5. Original Variance Site Plan, 6. 11-08-2017 November 8, 2017 LVB Minutes Final.pdf

Date	Ver.	Action By	Action	Result
1/16/2018	1	City Council	Approved with Condition(s)	Pass
11/8/2017	1	License and Variance Board	denied	Pass

WARD: Ward 5

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Appeal the denial by the License and Variance Board for V17-054 - Allow accessory structure in front yard of commercial property - 4.95 acres - Land Lot 345 - 2552 S Cobb Drive - SunTrust

: The applicant is requesting a variance for the placement of a free standing Automated Teller Machine at 2552 South Cobb Drive. The proposed location of the ATM will be in the front yard of the property, in the g lot 50 feet from the front property line, however the canopy will extend within the front setback. Per Section of the Zoning Ordinance, accessory structures are prohibited in the front or side yards.

BACKGROUND: The License and Variance Board denied the request (3-0) at the November 8, 2017 hearing. The applicant is appealing that decision.

RECOMMENDATION/REQUESTED ACTION: According to Section 1403 of the Zoning Ordinance, variances be reviewed under the following standards: (1) Whether there are unique and special or extraordinary instances applying to the property; (2) Whether any alleged hardship is self-created by any person having an t in the property; (3) Whether strict application of the relevant provisions of the code would deprive the ant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance d. Community Development has reviewed the request against the variance review standards and found it not n compliance with the standards, based on the lack of hardship. No variances for similar structures have

approved, thus, approval of the request would set a negative precedent. At the time of this report, there has been no public objection to the request. After a review of the standards above, Community Development believes there is no justifiable hardship for the accessory structure in the front yard and approval would set a negative precedent; therefore, staff recommends **denial**.

REQUESTED ACTION: Mayor and Council hold a public hearing per Section 1400 of the Smyrna Code.