



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: V17-055 **Version:** 1 **Name:** V17-055 - 1170 Oakview Dr
Type: Variance Request **Status:** Passed
File created: 11/3/2017 **In control:** License and Variance Board
On agenda: 11/8/2017 **Final action:** 11/8/2017

Title: Public Hearing - Variance Request - V17-055 - Allow second kitchen in existing single family dwelling unit - 0.28 acres - Land Lot 484 - 1170 Oakview Drive - Barbara Squires

Sponsors:

Indexes:

Code sections:

Attachments: 1. Varmemo V17-055, 2. Application, 3. Site Plan and Elevations

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

WARD: Ward 3

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V17-055 - Allow second kitchen in existing single family dwelling unit - 0.28 acres - Land Lot 484 - 1170 Oakview Drive - Barbara Squires

The applicant is in the process of completing an addition on an existing single family residence to prepare additional living space for aging parents, and is requesting a variance from Section 402.24 of the Zoning Code to allow a second kitchen. Because the subject property is a single-family residence, the additional kitchen would create a second living unit, which is prohibited per the definition of a single-family dwelling.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant has requested a variance to permit a second kitchen on a single-family home. 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 reviewed the request against the variance review standards and found it to be in compliance with the four (4) standards. Furthermore, there is a precedent for the variance in the city having approved similar variances in the past at Vinings, Enclave at Cooper Lake and Stonegate subdivisions. These previous variances have been for properties of similar size and type with no known detriment to the surrounding areas. After a review of the standards, Community Development believes that the second kitchen will not adversely affect surrounding residents, and will not set a negative precedent for future homebuilding in the area. At the time of this report, no opposition has been

to Community Development from neighboring properties. Community Development recommends **approval** requested variance with the following stipulations:

1. The addition is to be utilized by family members only.
2. The applicant shall not lease, rent, or sublet any space in their home.
3. These conditions shall run in perpetuity with the property and as such are also applicable to any future owner.

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