



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** V18-027      **Version:** 3      **Name:** V18-027 - 3336 Creatwood Trl  
**Type:** Variance Request      **Status:** Passed  
**File created:** 3/23/2018      **In control:** License and Variance Board  
**On agenda:** 4/25/2018      **Final action:** 4/25/2018  
**Title:** Public Hearing - Variance Request - V18-027 - Allow encroachment into 50 ft. Undisturbed Stream Buffer for the construction of a new single family home - 0.25 acres - Land Lot 628 - 3336 Creatwood Trail - Rachel and Greg McCullough

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/25/2018	1	License and Variance Board	Approved with Condition(s)	Pass
4/11/2018	2	License and Variance Board	tabled	Pass
3/28/2018	1	License and Variance Board	tabled	Pass

**WARD:** 6

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V18-027 - Allow encroachment into 50 ft. Undisturbed Stream Buffer for the construction of a new single family home - 0.25 acres - Land Lot 628 - 3336 Creatwood Trail - Rachel and Greg McCullough

: The applicant is requesting three variances, allowing encroachment into the City's 50 ft. undisturbed buffer and the 75 ft. impervious surface setback, as well as a front setback reduction from 35 feet to 16 feet for the construction of a single family home. Stream buffers are controlled by Chapter 6, Article VI, and setbacks are established in section 801 of the Zoning Code. This request is associated with V18-025-028.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting relief from the city's 50 ft. undisturbed buffer, 75 ft. impervious surface setback, and 35 ft. front setback to build a new single family home on the undeveloped lot of record. The applicant requests encroachment into the city 50 ft. undisturbed buffer and 75 ft. impervious setback, and to reduce the front setback to 16 feet. 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 the alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the code provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance requested 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. At the time of this report, Community Development has not received any calls in opposition to the request. After a review of the standards above, Community

ment believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following condition:

approval is conditioned upon substantial compliance with the site plan submitted with the variance application.

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