



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: V19-026 **Version:** 1 **Name:** 3875 S Cobb Dr - V19-026
Type: Variance Request **Status:** Passed
File created: 7/5/2019 **In control:** License and Variance Board
On agenda: 7/10/2019 **Final action:** 7/10/2019
Title: Public Hearing - Variance Request - V19-026 - Allow reduction of veterinary clinic distance from 200 feet to 25 feet from residential property - Land Lot 528 - 0.86 acres - 3875 S Cobb Drive - Blue Frog LLC - Shawn Rainey

Sponsors:

Indexes:

Code sections:

Attachments: 1. Issue Sheet, 2. Varmemo19-026, 3. SITE PLAN, 4. APPLICATION, 5. Property Tax

Date	Ver.	Action By	Action	Result
7/10/2019	1	License and Variance Board	Approved with Condition(s)	Pass

WARD: 6

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V19-026 - Allow reduction of veterinary clinic distance from 200 feet to 25 feet from residential property - Land Lot 528 - 0.86 acres - 3875 S Cobb Drive - Blue Frog LLC - Shawn Rainey

The applicant is requesting a variance to reduce the 200 ft. distance requirement of a veterinary clinic from residential property at 3875 S Cobb Drive. The clinic is proposing to use an existing building 25 ft. from residential property for a veterinary clinic. Section 712.3 controls the location of veterinary clinics in the Code of Ordinances. The subject property was previously occupied by a convenience store/gas service station and has been vacant for a several years. The applicant is requesting to use the property as-is, for use as a veterinary clinic. The only change to the structure will be to remove a gate and a larger dumpster enclosure behind the building and to fully enclose it. The existing building is approximately 25 feet from the residential property line at the rear of the subject property; however the nearest residential structure is approximately 100 feet away. The applicant requested a second variance in their application to allow an accessory structure. Community Development has determined that variance is not necessary as the accessory structure is an existing condition on the property.

BACKGROUND: None

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting a variance to reduce the distance requirement for a veterinary clinic from residential property. According to Section 1403 of the Zoning Ordinance, variances are reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances relating to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property;

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 has not received any calls in opposition to the request. After a review of the standards above Community Development believes that the variance will not adversely affect surrounding properties; therefore, staff recommends **approval** of the requested variance subject to the following conditions:

The applicant will agree not to permit animals to be kennelled or exercised in the area between commercial and residential uses.

Within the newly enclosed area, the applicant shall only permit a single animal at a time to be within the area and the animal will be leashed and supervised by a dedicated animal hospital personnel.

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