



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** 2021-172      **Version:** 1      **Name:** 3766 Ashwood Drive - V21-040  
**Type:** Variance Request      **Status:** Passed  
**File created:** 4/22/2021      **In control:** City Council  
**On agenda:** 5/3/2021      **Final action:** 5/3/2021  
**Title:** Public Hearing - V21-040 - Reduce the rear setback from 35 feet to 25 feet for a building addition - Land Lot 554 - 3766 Ashwood Drive - Stan & Laura Thompson

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Issue Sheet 2021-172 - 3766 Ashwood Drive Variance.pdf, 2. VarmemoV21-040.pdf, 3. Application\_V21-040.pdf, 4. Elevations\_V21-040.pdf, 5. Site Plan\_V21-040.pdf

| Date     | Ver. | Action By    | Action        | Result |
|----------|------|--------------|---------------|--------|
| 5/3/2021 | 1    | City Council | Approved Item | Pass   |

**WARD / COUNCILMEMBER:** Ward 6 / Tim Gould

**\$ IMPACT:** N/A

**Public Hearing** - V21-040 - Reduce the rear setback from 35 feet to 25 feet for a building addition - Land Lot 554 - 3766 Ashwood Drive - Stan & Laura Thompson

**AND BACKGROUND:** The applicant is requesting a variance to reduce the rear setback from 35 feet to 25 feet to build a building addition with a 3-car garage and second floor storage area on an existing home with a non-conforming rear setback. Section 801 of the zoning ordinance requires a rear setback of 35 feet for lots zoned R-

**RECOMMENDATION / REQUESTED ACTION:** The applicant is requesting to deviate from the development standards established by the City for the R-20 zoning district, which requires a minimum rear yard setback of 35 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 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; (4) Whether the variance proposed 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. After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following condition:

Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.