



City of Smyrna

City of Smyrna
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Legislation Details (With Text)

File #: 2021-445 **Version:** 2 **Name:** Zoning Request - Z21-012 - 1439 Walker Ct
Type: Zoning **Status:** Agenda Ready
File created: 10/6/2021 **In control:** City Council
On agenda: 11/15/2021 **Final action:** 11/15/2021
Title: Public Hearing - Zoning Request - Z21-012 - Allow rezoning from R-15 to R-8 for the development of two single-family homes at a density of 4.49 units per acre - Land Lot 560 - 0.445 acres - 1439 Walker Court - Joe Callahan.
Ward 3 / Councilmember Travis Lindley

Sponsors:

Indexes:

Code sections:

Attachments: 1. Issue Sheet 2021-445 Land Issue.pdf, 2. Staff Memo_Z21-012_V.2_M&C.pdf, 3. Zoning Map_Z21-012_V2.pdf, 4. Land Use Map_Z21-012_V2.pdf, 5. Rezoning Application_Z21-012.pdf, 6. Amended Application, 7. Site Plan_Z21-012.pdf, 8. City Tax_Z21-012.pdf, 9. Count Tax_Z21-012.pdf, 10. Deed_Z21-012.pdf, 11. Elevation A_Z21-012.pdf, 12. Elevation B_Z21-012.pdf, 13. Elevation C_Z21-012.pdf, 14. Elevation D_Z21-012.pdf, 15. Elevation E_Z21-012.pdf, 16. Elevation F_Z21-012.pdf, 17. Legal Ad_Z21-012.pdf, 18. Hydrology Exemption_Z21-012.pdf, 19. Tree Protection Plan_Z21-012.pdf, 20. Water Sewer Letter_Z21-012.pdf, 21. Issue Sheet 2021-445 Land Issue.pdf

Date	Ver.	Action By	Action	Result
11/15/2021	2	City Council	Approved	Pass
11/8/2021	1	Planning and Zoning Commission	Denied	Fail
11/8/2021	1	Planning and Zoning Commission	Approved	Pass
10/11/2021	1	Planning and Zoning Commission	Tabled	Pass

WARD / COUNCILMEMBER: Ward 3 / Councilmember Lindley

\$ IMPACT: N/A

Public Hearing - Zoning Request - Z21-012 - Allow rezoning from R-15 to R-8 for the development of two single-family homes at a density of 4.49 units per acre - Land Lot 560 - 0.445 acres - 1439 Walker Court - Joe Callahan.

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ISSUE AND BACKGROUND:

The applicant is requesting a rezoning from R-15 (Residential) to R-8 (Residential) for a two lot single-family detached subdivision. The Planning & Zoning Board voted to approve the request by a vote of 4-3 at the November 8, 2021 meeting.

RECOMMENDATION / REQUESTED ACTION: The zoning proposal is consistent with the City's Comprehensive Plan and Future Land Use Plan. Therefore, Community Development recommends **approval** of the rezoning from R-15 to R-8 at a density of 4.49 units per acre at 1439 Walker Court with the following conditions:

Conditions

Elements # 2, 3, 4, 5, 8, 9, 10, 12, and 17 from Section 1201 of the Zoning Code are not applicable. The following elements remain applicable.

1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. All utilities within the development shall be underground.
3. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with city's requirements for the extent of the development. A grass buffer with a minimum width of two feet shall be provided between the back of curb and sidewalk.
4. No debris may be buried on any lot or common area.
5. The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.
6. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
7. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

I Conditions

8. The development shall maintain the RDA setbacks:
Front - 25'
Side - 5'
Rear - 25'
9. The minimum lot size shall be 8,590 sq. ft.
10. The minimum lot width shall be 50 feet.
11. Driveway - 22' minimum length from building face to back of sidewalk.
12. The developer shall dedicate 5 ft. of right-of-way dedication along Walker Street.
13. The developer shall install a 5 ft. sidewalk and 2 ft. grass strip at the frontage of property along Walker Street.
14. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
15. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
16. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.

17. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
18. Approval of the subject property for the R-8-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 6/15/2021 and created by SJMurphy LLC and all zoning stipulations above.
19. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 9/10/2021.
20. The developer shall provide at least one-story of brick or stone on the front elevation of the homes.
21. The developer shall install decorative wood garage doors.
22. The developer shall install an evergreen landscape/privacy buffer along the shared property line of 1429 Walker Court for the length of the existing privacy fence. The evergreen trees shall be planted with a spacing of 7' to 10' on center and the trees shall have a minimum height of 10' to 12' at planting.
23. The zoning of the property is contingent on the purchase of 443 sq. ft. from the adjoining Walker Street Manor subdivision. Should the developer be unable to purchase the property within 12 months of the zoning approval, the zoning of the property shall revert back to R-15 zoning district.