



# City of Smyrna

City of Smyrna  
A. Max Bacon City Hall /  
Council Chambers  
2800 King Street  
Smyrna, GA 30080  
770-434-6600  
www.smyrnacity.com

## Legislation Details (With Text)

**File #:** 2021-491      **Version:** 1      **Name:** Variance Request - V21-113 - 341 Mockingbird Ln  
**Type:** Variance Request      **Status:** Agenda Ready  
**File created:** 10/21/2021      **In control:** License and Variance Board  
**On agenda:** 10/27/2021      **Final action:** 10/27/2021

**Title:** Public Hearing - Variance Request - V21-113 - Allow a second accessory structure - Land Lot 313 - 0.41 acres - 341 Mockingbird Lane - Michael Yofee

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. VarmemoV21-111-113.pdf, 2. Site Plan.pdf, 3. Elevation.pdf, 4. Variance Application.pdf

Date	Ver.	Action By	Action	Result
10/27/2021	1	License and Variance Board	Approved	Pass

**WARD / COUNCILMEMBER:** Ward 4 / Councilmember Welch

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V21-113 - Allow a second accessory structure - Land Lot 313 - 0.41 acres - 341 Mockingbird Lane - Michael Yofee

### **ISSUE AND BACKGROUND:**

Applicant is requesting to build a new single-family home at 341 Mockingbird Lane on a substandard lot. Section 1208 requires a variance to build on a lot of record below minimum requirements. The applicant also requests a variance to increase impervious coverage to 36.5%. Section 810 requires a maximum lot coverage of 35%. Additionally, the applicant is requesting a second accessory structure to construct a pool and gazebo. Section 501 limits accessory structure or uses to one per lot.

**RECOMMENDATION / REQUESTED ACTION:** The applicant is requesting to deviate from the City's minimum lot area requirement established for the R-20 Zoning District. According to Section 1403 of the Zoning Ordinance, variances must be granted 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 the 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 reviewed the request against the variance review standards and found it to be in compliance with the four (4) standards and believes that the variance will not adversely affect surrounding residents. At the time of this report, Community Development has received no opposition to the request from surrounding property owners. Therefore, staff recommends **approval** of the requested variance 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.

The applicant shall provide a water quality plan subject to approval by the City Engineer prior to issuance of

the building permit.