



City of Smyrna

Legislation Text

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

File #: V17-019, **Version:** 1

WARD: 6

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V17-019 - Allow side setback reduction from 12 feet to 1 foot for an addition to a single family residence - 0.48 acres - Land Lot 598 - 3491 Vinings North Way - John Bush

: The applicant is requesting a variance to reduce the side setback from 12 feet to 1 foot at 3491 Vinings North Way for an addition to a single family residence. Section 801 of the City's code of ordinance requires a side setback of 12 feet in the R-20 zoning district.

BACKGROUND: The applicant is requesting to deviate from the City's side setback requirement of 12 feet in the R-20 zoning district, found in section 801 of the Zoning Ordinance. 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; and (4) Whether the variance proposed is the minimum variance needed. Community Development has reviewed the requests against the variance review standards and found them to be in compliance with the review standards. Similar variances for accessory structure height and area increases have been granted, and Community Development believes that the requested variance will not adversely affect surrounding residents. At the time of this report, Community Development has not received any phone calls in opposition to the variance request.

RECOMMENDATION/REQUESTED ACTION: The License and Variance Board hold a public hearing per Section 1403 of the Smyrna Code.

Community Development recommends **approval** of the requested variance with the following conditions: **Approval** of the subject property for the requested variance shall be conditioned upon substantial compliance with the site plan submitted.

2. The proposed addition is not permitted to have a full kitchen, or to be rented or occupied for gain. Prior to final inspection, downspouts and gutters shall be installed to divert stormwater away from adjoining properties.