



City of Smyrna

City of Smyrna
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Council Chambers
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Legislation Text

File #: V17-020, **Version:** 1

WARD: Ward 6

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V17-020 - Allow side setback reduction on north side from 12 feet to 7 feet and south side from 12 feet to 10.6 feet for an addition to a single family residence - Land Lot 597 - 0.75 acres - 3389 Pinetree Drive - David Dean

: The applicant is requesting a variance to reduce both side setbacks from 12 feet to 5 feet on the north and 12 feet to 10.6 feet on the south side at 3389 Pinetree Drive 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.

GROUND: The applicant is requesting to deviate from the City's side setback requirement of 12 feet in the 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 prevent 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 setbacks 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 written calls in opposition to the variance request. Therefore, Community Development recommends **approval** of the requested variance with the following condition:

1. Approval of the subject property for the requested variance shall be conditioned upon substantial compliance with the site plan submitted.

RECOMMENDATION/REQUESTED ACTION: The License and Variance Board hold a public hearing per Section 1400 of the Smyrna Code. Community Development recommends **approval** of the requested variance with the following condition:

1. Approval of the subject property for the requested variance shall be conditioned upon substantial compliance with the site plan submitted.