



# City of Smyrna

City of Smyrna  
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## Legislation Text

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**File #:** V17-032, **Version:** 1

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**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V17-032 - Allow reduction of rear setback from 20 ft. to 9.6 ft. for a covered patio addition - 0.134 acres - Land Lot 520 - 1215 Hill Street - Josh Tenery

**ISSUE:** The applicant is requesting a variance to reduce the rear setback from 20 ft. to 9.6 ft. at 1215 Hill Street for an addition to a single family residence. Section 801 of the city's code of ordinance requires a rear setback of 20 feet in the RAD zoning district

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting a reduction of the rear setback from 20 ft. to 9.6 ft. at 1215 Hill Street. 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 review standards and found them to be in compliance with the review standards. Similar variances for rear setback reductions have been granted, and Community Development believes that the requested variance will not adversely affect neighboring residents. At the time of this report, Community Development has not received any phone calls in opposition to the variance request. Therefore, 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.

The applicant will implement stormwater management best management practices, subject to approval by the engineer, to ensure adjacent properties are not adversely impacted.

**REQUESTED ACTION:** The License and Variance Board hold a public hearing per Section 1400 of the City of Smyrna Zoning Ordinance.