



City of Smyrna

City of Smyrna
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Legislation Text

File #: V18-004, **Version:** 1

WARD: 6

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V18-004 - Allow impervious setback reduction from 75 feet to 70 feet for a single family home addition - Land Lot 554 - 0.51 acres - 3690 Ashwood Drive - Donald and Amy Rutzen

: The applicant is requesting a variance to reduce the front yard setback for 3690 Ashwood Drive from 35 ft. to 27 ft. construction of an addition to an existing single-family residence. Development standards established by the City for the R-15 zoning district require a minimum front yard setback of 35 ft. Initially the applicant requests a reduction of the impervious setback from 75 feet to 70 feet. This request is associated with V18-003.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a minimum front yard setback of 35 ft. The applicant requests an encroachment into the 75 ft. impervious setback, where no impervious materials currently exist. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unusual and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by the 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 necessary to allow the applicant to use the property. Community Development has reviewed the request against the variance review standards and found it to be in compliance with four (4) of the four (4) standards. At the time of this report, Community Development has not received any public comments regarding the variance request. After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following conditions:

Approval is conditioned upon substantial compliance with the site plan submitted with the variance request.

Prior to issuance of building permit, the applicant shall record a plat that combines the two parcels shown on the site plan as one parcel.

The plat shall also designate an area for compensatory mitigation equal to the area of impervious setback encroachment, as well as the location of the sewer line, with a 20 ft. easement around the sewer line.

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