



City of Smyrna

Legislation Text

City of Smyrna
A. Max Bacon City Hall /
Council Chambers
2800 King Street
Smyrna, GA 30080
770-434-6600
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File #: V18-007, **Version:** 2

WARD: 6

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - Variance Request - V18-007 - Allow encroachment in to City's 50 ft. undisturbed buffer - Land Lot 572 - 0.47 acres - 1272 Kingsview Cir - Portico Properties, Inc.

: The applicant is requesting two variances, allowing encroachment into the City's 50 ft. undisturbed buffer and the City's 75 ft. impervious surface setback. The applicant is proposing to construct a new single family home on the undeveloped property. Stream buffers are controlled by Chapter 6, Article VI. The applicant is proposing to construct a two story, single family home, approximately 2,200 sq. ft. in area on the subject property. The subject property is impacted by the state 25 ft. undisturbed buffer, the city's 50 ft. undisturbed buffer, as well as the city's 75 ft. impervious surface setback. The house is oriented so that the state buffer will remain undisturbed. According to the site plan, 35% of the lot will be impervious after construction. R-15 allows up to 35% impervious surface. The applicant has a 50 ft. front setback on the home which is consistent with other homes in the neighborhood. This request is related to V18-008.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting relief from the city's 50 ft. undisturbed buffer and 75 ft. impervious surface setback, to build a new single family home on the undeveloped lot of record. The applicant is requesting an encroachment into the city 50 ft. undisturbed buffer and 75 ft. impervious setback, where impervious materials already exist. 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 alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the code provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance requested is the minimum variance needed. 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 calls in opposition to the 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:

1. Approval is conditioned upon substantial compliance with the site plan submitted with the variance application. Issuance of a building permit is contingent upon the submittal of a tree inventory and tree protection and management plan by the applicant and approval by the City's Arborist.

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