



City of Smyrna

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Legislation Text

File #: 2019-418, **Version:** 1

WARD: Ward 1

COMMITTEE: Community Development

\$ IMPACT: N/A

Public Hearing - V19-052 - Reduce building side setback from 10 feet to 9.7 feet - Land Lot 809 - 2760 Bell Drive - Weekley Homes, LLC

: The applicant is requesting a variance to build a front porch on a new single-family townhome residence 0 Bell Drive. During rezoning in 2017 (zoning case Z17-016), the subject property was approved with ons for front setbacks of 15 feet for the townhome building and 10 feet for the front porches. The plans were ted and approved with foundations meeting the setback requirements listed in the zoning stipulations. ver, when the townhome building was constructed, each of the townhomes within the building were over the ed setbacks. Coupled with additional façade materials on the exterior of the building, several sections of the g encroached in the setback requirements.

BACKGROUND: None.

RECOMMENDATION/REQUESTED ACTION: The applicant is requesting to deviate from the development standards established by zoning case Z17-016 for the porch front setback of 10 feet, the building front setback of 15 feet, and the building side setback of 10 feet. The applicant is requesting a variance to reduce the front porch setback to 9.8 feet to construct a front porch on a new single-family residence. The construction of the porch also led to the variances of the building front setback of 14.6 feet and the building side setback of 9.7 feet. 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 four (4) standards. Community Development has not received any calls in opposition to the request. After a review of the standards above, Community Development believes that the encroachments will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances.