



City of Smyrna

City of Smyrna
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Legislation Text

File #: 2021-144, Version: 1

WARD / COUNCILMEMBER: Ward 6 / Tim Gould

\$ IMPACT: N/A

Public Hearing - V21-031 - Reduce the side setback from 10 feet to 5 feet - Land Lot 629 - 3286 Creatwood Trail - Sahra Ahmed

ISSUE AND BACKGROUND: The applicant is requesting a variance to reduce the side setback from 10 feet to 5 feet at 3286 Creatwood Trail. The applicant plans to construct a new 249 square foot garage as part of a larger renovation to the existing one-story house. Section 801 requires a side setback in the R-15 zoning district of 10 feet.

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 side setback of 10 feet. The applicant is requesting to construct a garage in the side setback, approximately 5 feet from the side property line. 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 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 request against the variance review standards and found it to be in compliance with four (4) of the four (4) standards. After review of the standards above, Community Development believes that placing the garage in the side setback will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following conditions:

Approval of the subject property for the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.