



# City of Smyrna

City of Smyrna  
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Council Chambers  
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## Legislation Text

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**File #:** 2021-145, **Version:** 1

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**WARD / COUNCILMEMBER:** Ward 7 / Lewis Wheaton

**\$ IMPACT:** N/A

**Public Hearing** - V21-032 - Allow additional accessory structure - Land Lot 401 - 639 Vinings Estates Drive - Chris & Shannon Greenwald

**AND BACKGROUND:** The applicant is requesting a variance to allow for an in ground swimming pool at Vinings Estates Drive. The property is currently occupied by an existing single-family home and a shed in the back of the property. Thus, the applicant requires a variance to be allowed to have an additional accessory structure. Section 501 controls the maximum allowable number of accessory structures.

**RECOMMENDATION / REQUESTED ACTION:** The applicant is requesting to deviate from the City's accessory structure ordinance to allow a second accessory structure. According to Section 1403 of the Zoning Ordinance, requests 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 prevent 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 review standards. Community Development believes that the requested variances will not adversely affect surrounding residents. Therefore, Community Development recommends **approval** of the requested variance with the following condition:

Approval of the subject property for the requested variances shall be conditioned upon substantial compliance with the site plan submitted.