



# City of Smyrna

City of Smyrna  
A.Max Bacon City Hall /  
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## Legislation Text

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File #: 2021-116, Version: 3

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**WARD / COUNCILMEMBER:** Ward 3 / Councilmember Lindley

**\$ IMPACT:** N/A

**Public Hearing** - V21-026 - Increase maximum impervious surface area from 45% to 48.8% - Land Lot 593 - 1607 Walker Street - Brian & Lauren Berry

**AND BACKGROUND:** The applicant is seeking a variance to increase the impervious surface area from 45% to 48.8% to allow for the construction of a new swimming pool on the subject property. Section 801 sets the maximum impervious surface area in the RDA zoning district.

**RECOMMENDATION / REQUESTED ACTION:** The applicant is requesting to deviate from the development standards established by the City to increase the impervious surface area from 45% to 48.8%. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether the circumstances 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 code 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 a review of the standards above, Community Development believes that the increased impervious coverage 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 application.

The applicant shall complete items #6 and #7 shown on the mitigation plan's water quality notes prior to building permit issuance.

- a. Water Quality Note #6: Contractor to perform soil boring in center of stormwater management basin to verify seasonal high water table meets minimum two (2) foot separation between bottom of soil media and seasonal high water.
- b. Water Quality Note #7: Contractor to provide a percolation test to verify water absorption rate of native soil has a minimum infiltration rate of 0.5 in/hr or more.

The applicant shall submit a plat revision for recording, reflecting the new location of the stormwater detention facility prior to the final inspection.