



# City of Smyrna

## Legislation Text

City of Smyrna  
A.Max Bacon City Hall /  
Council Chambers  
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File #: 2021-175, Version: 1

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

**\$ IMPACT:** N/A

**Public Hearing** - V21-043 - Reduce streetside setback from 23.3 feet to 11 feet for a pool - Land Lot 519 - 1210 Pierce Avenue - Keri Kennedy Morgan

**AND BACKGROUND:** The applicant is seeking a variance to reduce the streetside setback from 23.3 feet to 11 feet to allow for the construction of a new swimming pool on the subject property. Section 801 sets the setback requirements in the R-12 zoning district.

**RECOMMENDATION / REQUESTED ACTION:** The applicant is requesting to deviate from the City's setback requirements established in Section 801 of the Zoning Ordinance. 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 request against the variance review standards and determined 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 encroachment will not adversely affect surrounding residents; therefore, Community Development recommends **approval** of the requested variance with the following condition:

Approval is conditioned upon substantial compliance with the site plan submitted with the variance application.