

# **CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM**

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To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director  
Caitlin Crowe, Planner I

Date: January 2, 2024

**RE: VARIANCE CASE V23-097  
2608 Argo Drive – Allow new construction on lot of record below minimum requirements**

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## **BACKGROUND**

The applicant is requesting to build a new single-family home at 2608 Argo Drive on a substandard lot. Section 1208 requires a variance to build on a lot of record below minimum lot size requirements.

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## **ANALYSIS**

The subject parcel is a 0.27-acre lot located on the west side of Argo Drive (see Figure 1). The subject parcel and the adjacent parcels to the north and west are zoned R-15. Two of the adjacent parcels to the south are zoned R-12, with the third zoned R-15. The adjacent parcels to the east are zoned RDA. The subject parcel and adjacent parcels are all occupied by detached single-family homes with the exception of one parcel to the north, which is currently vacant. The subject parcel is a homesite which was first recorded in the Cobb County Deed Book in 1955, prior to the current Smyrna Zoning Ordinance, which was implemented in 1974.

The subject property is only 11,579 square feet with a 50-foot road frontage while the R-15 zoning district requires a minimum lot size of 15,000 square feet and 85 feet of road frontage. Since the subject property is an existing lot of record, originally filed in the Deed Book in Cobb County in 1955, the hardship is not self-created. If it were not for the nonconforming lot, no other variances would be required to build the new home.

The existing 1,117 square foot home is currently in a state of disrepair and has been vacant for several years (see Figures 4 and 5). Aside from the nonconforming lot, the existing home is also encroaching into both the front and northern side setbacks and is well below the minimum house size of the R-15 zoning district at 2,000 square feet. The applicant is proposing to demolish the existing house and build a new roughly 2,500 square foot two-story single-family home on the subject property in compliance with all setbacks and floor area requirements for the R-15 zoning district. The new façade will be primarily siding with a brick water table with a modern look to the architecture.

The subject property is unique in that it has less square footage and road frontage than what the R-15 zoning district requires. The hardship is not self created as the property is an existing lot of record. The variance requested is the minimum variance needed to build a new single-family home on the subject property. Community Development does not believe building a new single-family home on the subject property in accordance with the R-15 zoning requirements will negatively impact the surrounding properties. Community Development has not received any calls in opposition to the request.

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## STAFF COMMENTS

The applicant is requesting to deviate from the City's minimum lot area requirement established for the R-15 zoning district. 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 believes that the requested variance will not adversely affect surrounding properties. Therefore, staff recommends **approval** of the requested variance with the following condition:

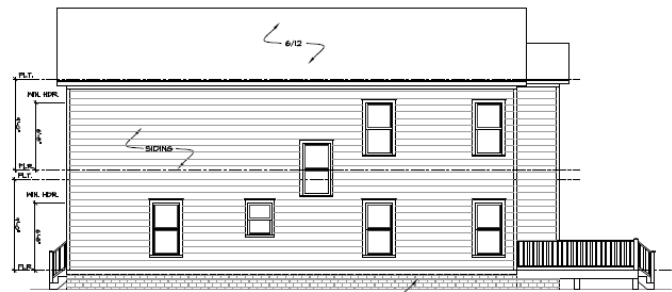
1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Figure – 1

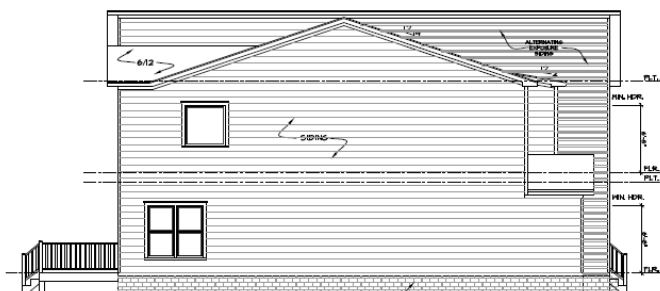


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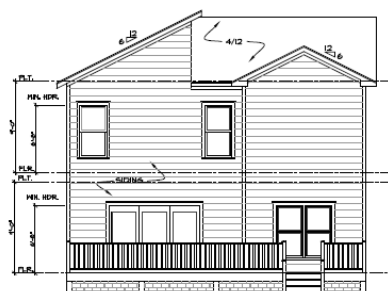
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SCALE 1/4" = 1'-0"



**NOTE**  $1/6^{\circ} = 1-0^{\circ}$


$$\text{SCALE: } 1/4" = 1'-0"$$



**Figure – 4**  
**Subject Property**



**Figure – 5**  
**Existing Structure**





**Figure – 6**  
**Adjacent Property to the South**



**Figure – 7**  
**Adjacent Property to the North**





**Figure – 8**  
**Adjacent Property across Argo Drive**



**Figure – 9**  
**Adjacent Property across Argo Drive**

