

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: April 23, 2024

RE: **VARIANCE CASE V24-030**
1900 Sadler Drive – Increase maximum impervious surface area from 49.9% to 50.6%

BACKGROUND

The applicant is requesting a variance to increase the maximum impervious surface area to build a sunroom and deck addition on the rear of the single-family home located at 1900 Sadler Drive. The applicant received approval for two variances in March 2024 (Variance Cases- V24-012 and V24-013) to reduce the rear setback from 30 feet to 22 feet and increase the impervious surface area from 45% to 49.9%, respectively. Since the proposed impervious surface is an increase from the originally approved variances, the applicant is required to request another variance.

ANALYSIS

The subject parcel is a 0.16-acre lot located on the west side of Sadler Drive within the Stonecrest Manor subdivision (see Figure 1). The subject parcel and all adjoining parcels are zoned RDA and are all occupied by single-family detached homes, with the exception of the property to the west, which is occupied by the Old Vinings Mill amenity area.

Variances were previously approved in March 2024 (Variance Cases- V24-012 and V24-013) to reduce the rear setback from 30 feet to 22 feet and increase the impervious surface area from 45% to 49.9%, respectively. The previous request called for a 300 square foot sunroom and 250 square foot deck addition with accompanying stairs to the rear yard. The applicant is proposing to revise the original variance request to increase the sunroom to 380 square feet and reduce the deck to 190 square feet. Additionally, the stairs will be realigned on the rear of the deck to keep in line with the new sunroom addition. After the additional square footage of the sunroom and deck to the property, the impervious surface area will be 0.7% over the previously approved 49.9% (or 46 square feet).

The applicant is proposing to retain the previous mitigation method for the increase in impervious surface area by adding two flo-wells to the southwest corner of the rear yard. The City Engineer has reviewed the application and is supportive of the proposed mitigation method with stipulations regarding the Stormwater Inspection & Maintenance Agreement and proposed retaining wall encroachments.

During plan redesign, the applicant found that the side property line was inaccurately calculated on the first variance application, gaining an additional 4 feet of property length. Although the proposed rear setback of 26.6 feet is still encroaching into the 30-foot rear setback, the proposed deck will be less of an encroachment than what was previously approved (22 feet). Thus, the applicant was not required to submit for a second rear setback variance reduction.

Community Development believes the variance is the minimum variance needed to add more outdoor space on the property. Strict application of the ordinance would deny the applicant any ability to modify the existing deck since the existing impervious coverage is already over the allowable maximum impervious coverage. At the time of this report, Community Development has not received any calls in opposition to this request.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by the City for the RDA zoning district, which requires a maximum impervious area of 45%. 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. After a review of the standards above, Community Development believes that the impervious surface increase will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following conditions:

1. Approval of the variance is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. Approval of the variance is conditioned upon substantial compliance with the mitigation plan submitted on 2/28/24 with variance application V24-012 and V24-013.
3. A Stormwater Inspection and Maintenance Agreement shall be completed and recorded with the Cobb County Superior Court prior to issuance of the building permit and an as-built certification statement submitted to Community Development prior to issuance of the Certificate of Completion.
4. The proposed retaining wall may encroach up to 10 feet into the 20-foot drainage easement along the rear property line. The wall and wall footings may not encroach into the 15-foot drainage easement along the southern property boundary. If the retaining wall exceeds 48 inches in height, it will require a separate retaining wall permit.
5. The vegetative buffer to the rear of the property shall be restored prior to the issuance of the Certificate of Completion.

Figure – 1

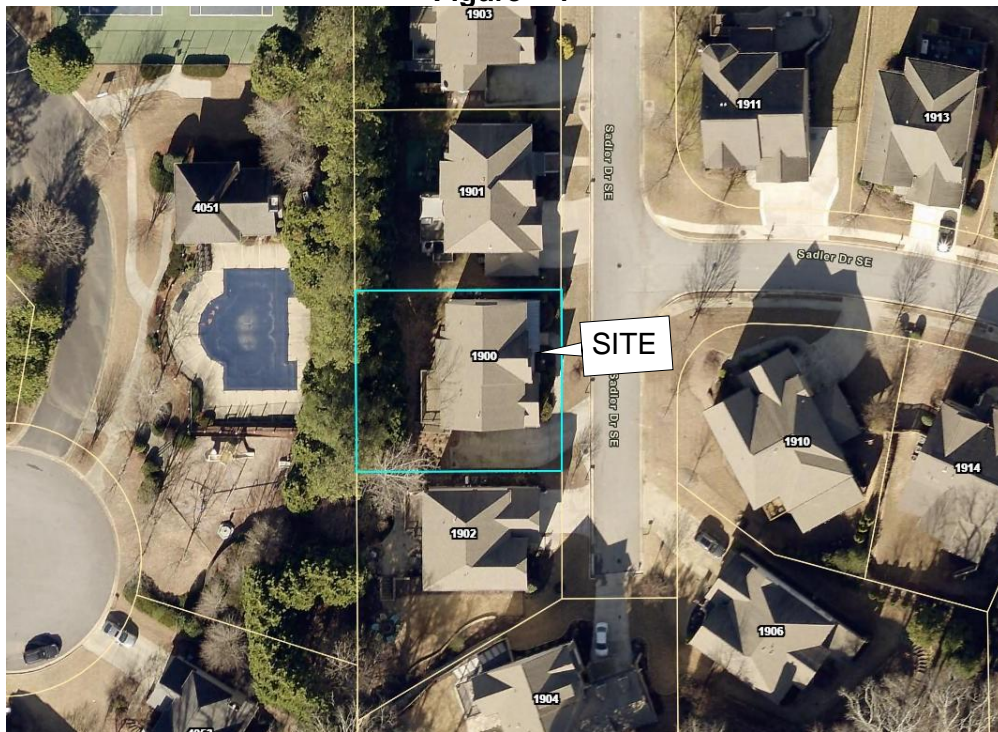
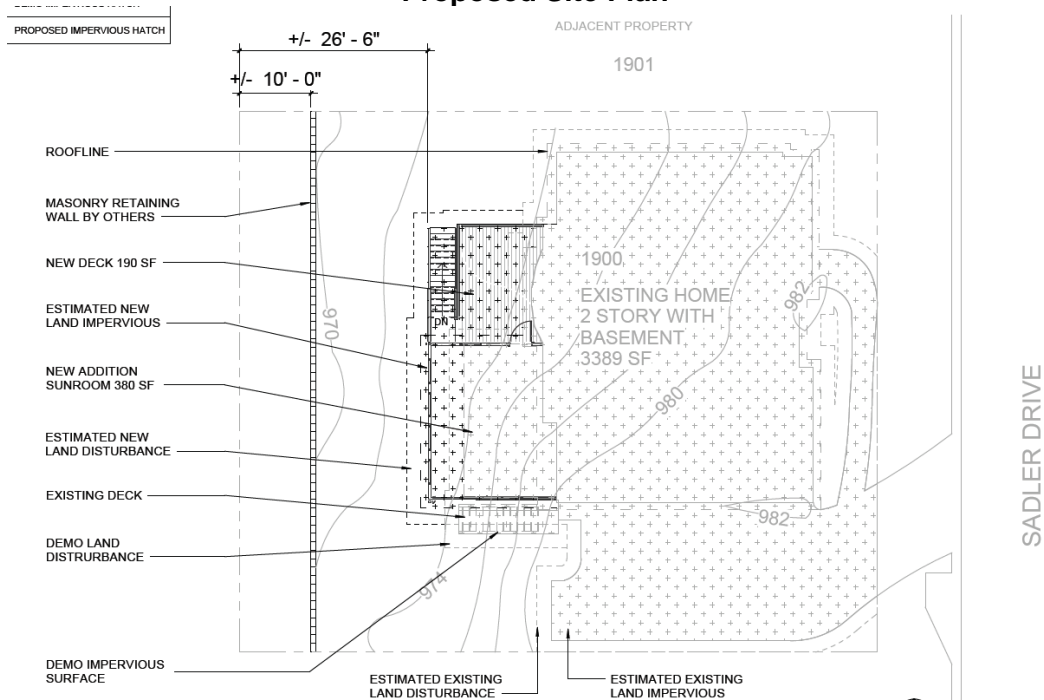
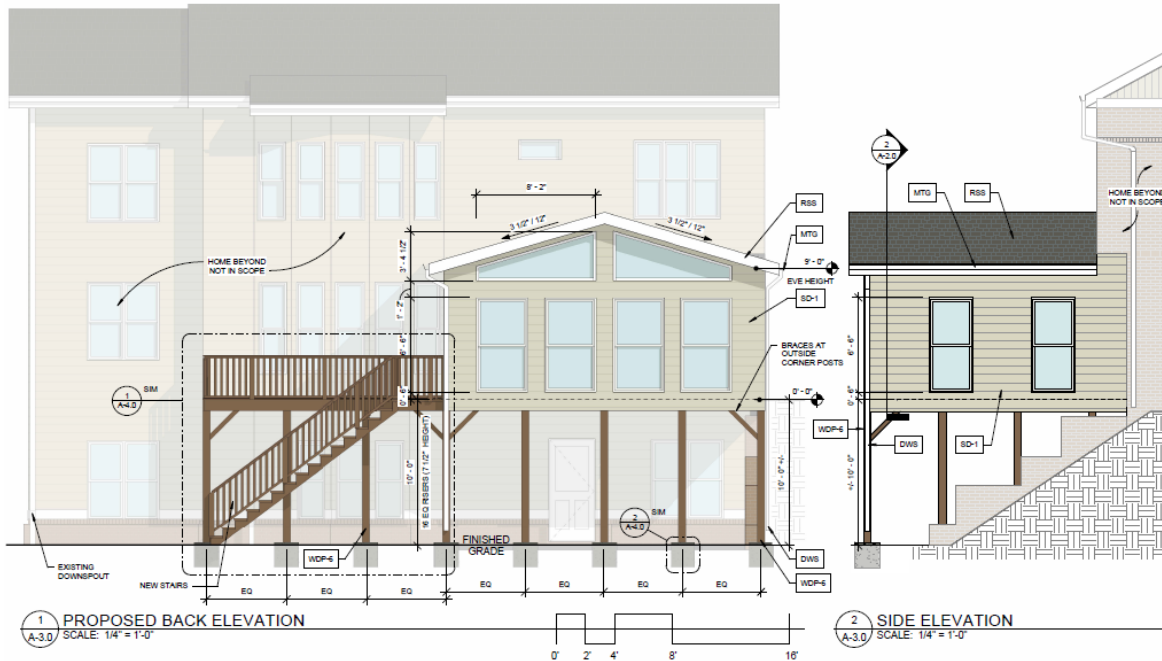


Figure – 2
Proposed Site Plan



**Figure – 3
Elevations**



**Figure – 4
Subject Property**



Figure – 5
Adjacent Property to the South



Figure – 6
Adjacent Property to the North



Figure – 7
Adjacent Property across Sadler Drive

