



City of Smyrna

Issue Sheet

A Max Bacon
City Hall
2800 King Street
Smyrna, GA 30080

File Number: V24-145

Agenda Date: 9/25/2024

In Control: License and Variance Board

File Type: Variance Item

Agenda Section:
Formal Business

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V24-078 - Reduce the rear setback from 25 feet to 14 feet - Land Lot 330 - 577 Lakeview Terrace - Matthew Berry

Ward 7 Councilmember - Rickey N. Oglesby Jr.

ISSUE AND BACKGROUND:

The applicant is requesting two variances to cover an existing deck at 577 Lakeview Terrace: increase the impervious surface area from 45% to 50.03% and reduce the rear setback from 25 feet to 14 feet. Section 801 sets the maximum impervious surface area of the RDA zoning district at 45% whereas the rear setback of 25 feet is regulated by the Lakeview at Vinings Phase Two plat, recorded in 2003.

RECOMMENDATION / REQUESTED ACTION:

The applicant is requesting to deviate from the development standards established by the Lakeview at Vinings subdivision plat and RDA development standards, which requires a rear setback of 25 feet and a maximum impervious surface area of 45%, respectively. 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 encroachments will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variances with the following condition:

1. Approval of the requested variances is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.