

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: January 2, 2024

RE: VARIANCE CASE V23-106
3286 Creatwood Trail – Allow new construction on lot of record below minimum requirements

BACKGROUND

The applicant is requesting to build a new single-family home at 3286 Creatwood Trail on a substandard lot. Section 1208 requires a variance to build on a lot of record below minimum lot size requirements.

The property received approval for a side setback variance request by the License and Variance Board in April 2021 (Variance Case V21-031). The applicant has submitted a new request with a different site plan to build a new house instead of an addition due to changes in construction costs since the original submittal.

ANALYSIS

The subject parcel is a 0.34-acre lot located on the north side of Creatwood Trail, at the entrance to the Creatwood Forest subdivision (see Figure 1). The subject parcel and adjacent parcels to the south and east are zoned R-15 and are occupied by detached single-family homes. The adjacent properties to the west are zoned RDA and are also occupied by detached single-family homes. The adjacent property to the north is zoned NS-C (Neighborhood Shopping- Conditional) and is occupied by a variety of commercial uses. The subject parcel is part of the Creatwood Forest subdivision, which was platted in 1960, prior to the current Smyrna Zoning Ordinance, which was implemented in 1974.

The subject property is 14,891 square feet, while the R-15 zoning district requires a minimum lot size of 15,000 square feet. Since the subject property is an existing lot of record, originally platted in 1960, 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 applicant is proposing to demolish the existing 1,080 square foot house and build a new 3,019 square foot two-story single-family home with a walk-out basement. The house plans include a 3-car garage and a pool in the future, with a façade of board and batten. As mentioned, the existing one-story home is 1,080 square feet, well below the minimum house

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size of the R-15 zoning district at 2,000 square feet. With the new construction, the home will be brought into compliance with the R-15 zoning district floor area requirement.

The subject property is unique in that it has less square footage 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.

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



Figure – 4
Subject Property



Figure – 5
Adjacent Property to the South



Figure – 6
Adjacent Property to the North



Figure – 7
Adjacent Property across Creatwood Trail

