

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: October 15, 2024

RE: VARIANCE CASE V24-086
1019 Manor Drive – Reduce the driveway setback from 5 feet to 0 feet

BACKGROUND

The applicant is proposing to expand an existing driveway to the western side property line at 1019 Manor Drive. Section 801 sets the driveway setback requirements in the R-15 zoning district.

ANALYSIS

The subject parcel is a 0.26-acre lot on the north side of Manor Drive (see Figure 1). The subject parcel and all adjoining parcels are zoned R-15 and are all occupied by single-family detached residences.

The home, originally built in 1952, has an existing one-car nonconforming driveway. The existing driveway meets the required 5-foot driveway setback near the home and then curves westward as it heads to the right-of-way, with the driveway apron adjacent to the side property line. The applicant is proposing to expand the existing concrete driveway to the side property line to create a straight line along the property line rather than have the curve that exists today. The new driveway width will provide ample parking and today's typical standard of a two-car driveway.

Since the location of the driveway and house is preexisting, the hardship is not self-created. Many of the driveways in the area are up to the side property line due to the age of the properties, thus the location of the driveway would not be out of character in the neighborhood. Strict application of the ordinance would deny the applicant the ability to add any additional square footage to the existing driveway since it is already encroaching into the driveway setback. Community Development believes the variance is the minimum variance needed to add additional driveway. At the time of this report, Community Development has not received any calls in opposition to the request.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by Section 801, which requires a minimum 5-foot driveway setback in certain residential zoning districts.

VARIANCE CASE V24-086

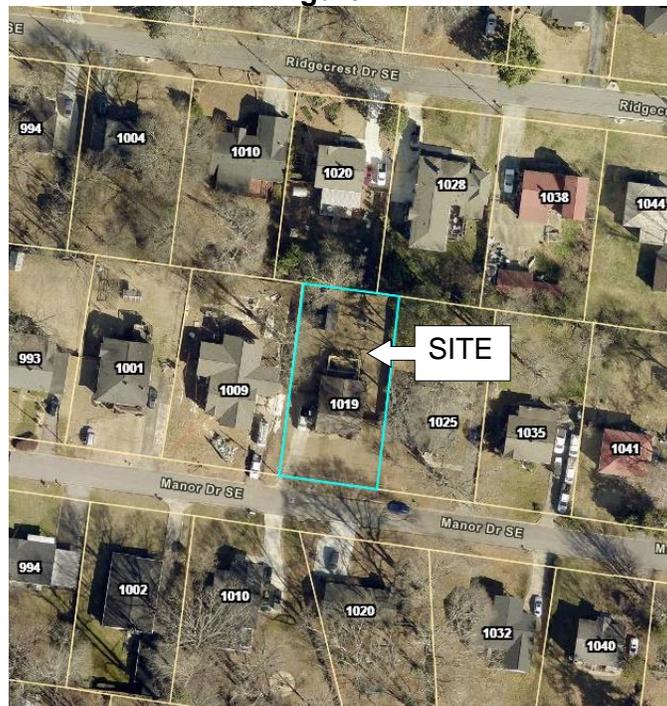
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According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created 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 encroachment will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following condition:

1. Approval of the requested variance shall be conditioned upon substantial compliance with the site plan submitted with the variance application.

Figure – 1



**Figure – 2
Site Plan**



**Figure – 3
Subject Property**



Figure – 4
Existing Driveway Location



Figure – 5
Adjacent Property to West



Figure – 6
Adjacent Property across Manor Drive



Figure – 7
Adjacent Property across Manor Drive

