

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: November 20, 2023

RE: VARIANCE CASE V23-076
2995 Reed Street – Reduce the front setback from 35 feet to 23.7 feet

VARIANCE CASE V23-077
2995 Reed Street – Reduce the side setback from 10 feet to 8.11 feet

BACKGROUND

The applicant is seeking two variances to allow for the construction of a front porch and rear addition to the existing non-conforming single-family home located at 2995 Reed Street. To continue the house at its current alignment on the lot, the applicant is requesting a variance to reduce the front setback from 35 feet to 23.7 feet as well as the side setback from 10 feet to 8.11 feet. Section 801 of the Zoning Ordinance requires a minimum 10-foot side setback and 35-foot front setback for homes in the R-15 zoning district and Section 1102 sets the requirements for extending non-conforming uses.

ANALYSIS

The subject parcel is a 0.19-acre lot located at the intersection of Reed Street and Love Street (see Figure 1). The subject parcel and all adjoining parcels are zoned R-15 and are occupied by single-family detached residences, with the exception of the southern parcel, which is zoned LC and is occupied by a boutique retail store.

The applicant is proposing to fully renovate the existing ranch home, originally built in 1940. Included in the 687 square foot renovation is the addition of a front porch, rear deck, and an addition in the rear. The 518 square foot addition will add a master bedroom, bathroom, and additional living space to the home with a stucco façade to match the existing home. Furthermore, the existing nonconforming carport and shed will be demolished as part of the renovation of the property. Since the home was built prior to the adoption of the City's Zoning Ordinance, it has existing non-conforming setbacks: a front setback of 27.6 feet, a streetside setback of 17.2 feet, and a side setback of 8.9 feet. Due to the existing non-conforming foundation of the home, any addition to the existing footprint would be within the side or front setbacks. Since the home is currently non-conforming, the hardship is not self-created.

The applicant does not currently have a covered front entry to the existing home. The applicant is proposing to add a 24 square foot covered front porch to enter the home in inclement weather

VARIANCE CASE V23-076 & V23-077

November 20, 2023

Page 2 of 7

more easily. Since the existing home is currently encroaching into the front setback, there is no room for any frontward expansion, so the hardship is not self-created. Similar front setback variance requests were approved across the street at 2976 Reed Street in 1999 (V99-017) and at 1215 Love Street in 2003 (V03-035). The rear addition will be in line with the existing home, encroaching no more than what exists onsite. Furthermore, the existing one-story home is 1,164 square feet, while the minimum house size of R-15 is 2,000 square feet. With the renovations, the home will be 1,851 square feet, bringing the home closer to compliance with the R-15 floor area requirement.

Due to the layout and foundation of the existing home, the front porch and addition will be constructed within the front and side setbacks, respectively. The proposed variances are not self-created and are a special circumstance since the construction of the home pre-dates the adoption of the City's Zoning Ordinance. Strict application of the ordinance would deprive the property owner of reasonable use of the property by not allowing the property owner the ability to make improvements to the home within the existing footprint. Community Development believes the requests are the minimum variances needed to add any additional square footage to the property. 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 R-15 zoning district for a front and side setback reduction. 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, Community Development recommends **approval** of the requested variances with the following condition:

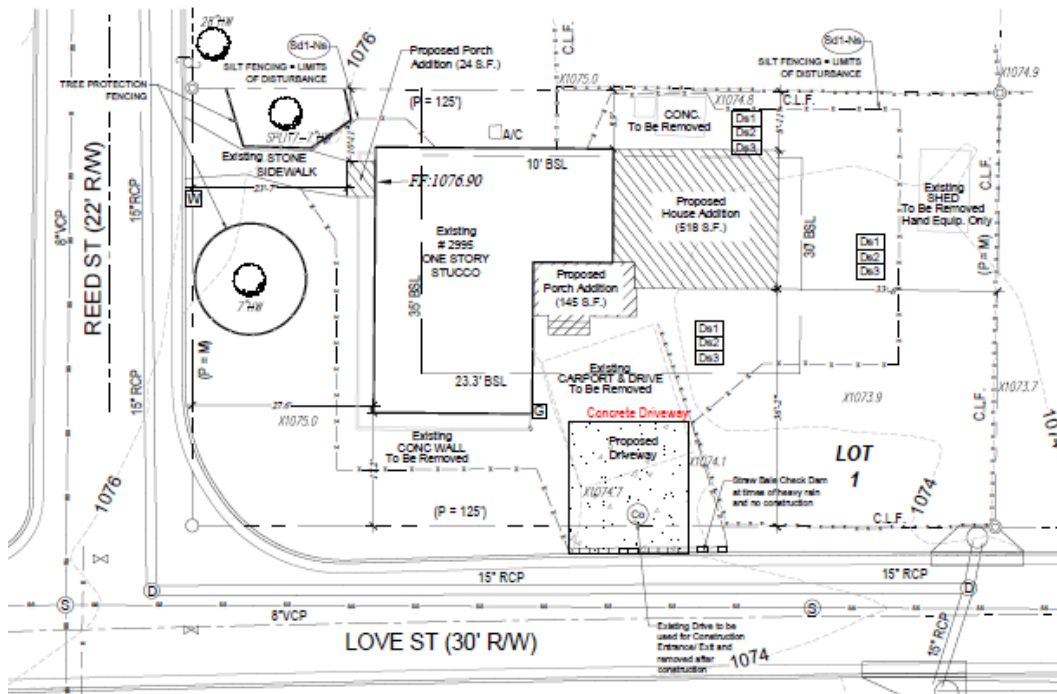
1. Approval of the requested variances shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Page 3 of 7

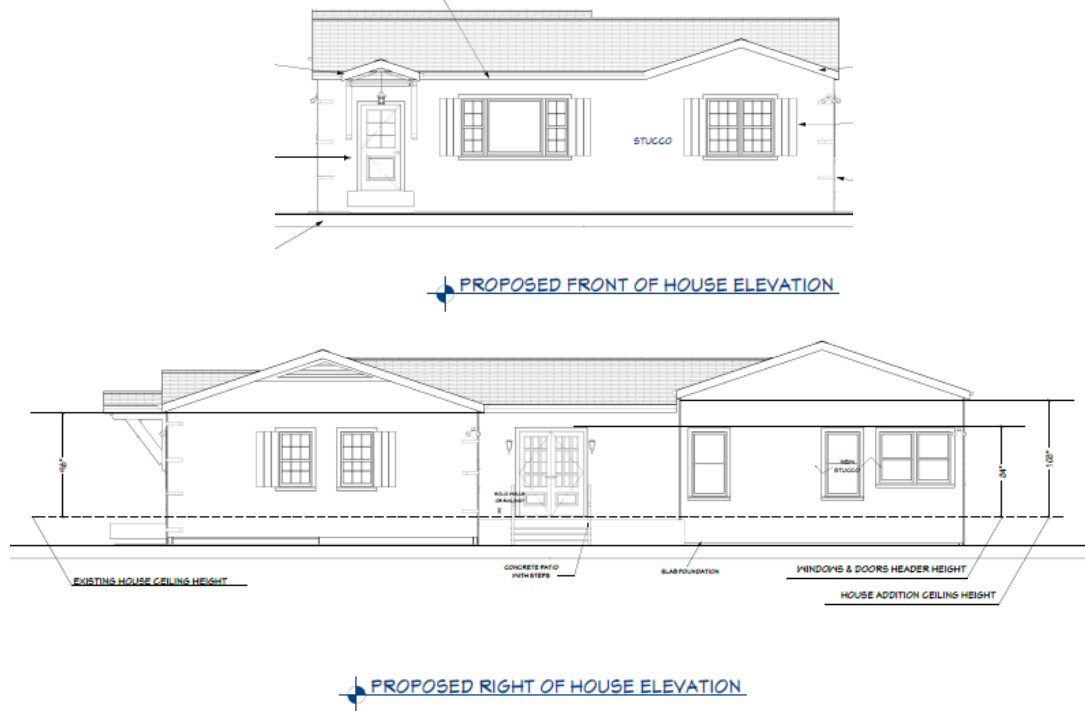
Figure – 1



Figure – 2 Site Plan



**Figure – 3
Building Elevations**



**Figure – 4
Subject Property from Reed Street**



Figure – 5
Subject Property from Love Street



Figure – 6
Adjacent Property to the East



Figure – 7
Adjoining Property to the North



Figure – 8
Adjacent Property across Love Street



Figure – 9
Adjacent Property across Reed Street

