

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: June 3, 2024

RE: VARIANCE CASE V24-039
1121 Dell Avenue – Reduce the front setback from 35 feet to 32.5 feet

BACKGROUND

The applicant is requesting a variance to reduce the front setback from 35 feet to 32.5 feet for the construction of a front porch at 1121 Dell Avenue. The minimum front setback is required in the R-15 zoning district per Section 801 of the Zoning Code.

ANALYSIS

The subject parcel is a 0.30-acre lot located on the north side of Dell Avenue (Figure 1). The subject parcel and adjacent properties to the north, east, and west are zoned R-15 whereas the adjacent property to the south is zoned FC (Future Commercial); all are occupied by single-family detached houses.

The applicant is proposing to fully renovate the existing 773 square foot home with a 1,933 square foot addition and accompanying 274 square foot deck in the rear and a 150 square foot front porch. When completed, the home will be 2,357 square feet with 3 bedrooms and 2 ½ bathrooms. Since the renovations to the home will create a 2,357 square foot home, the home will be brought into compliance with the R-15 floor area requirement.

The existing home currently has an uncovered 29 square foot concrete front porch. As part of the overall renovation, the applicant is proposing to replace the existing porch with a 150 square foot covered front porch to enjoy the front yard as well as enter the home in inclement weather more easily. The existing home is roughly 6 feet from the front setback line, leaving little room for a roof on the existing front porch, much less any other frontward expansion. The applicant has proposed the new porch will be 32.5 feet from the front property line and will thus encroach on the front setback by 2.5 feet. No other variances are required for the renovations, as all other setbacks are met, and the property will be under the maximum impervious surface area of 35%.

Since the existing home was constructed in 1952, prior to the adoption of the current Zoning Ordinance in 1974, Community Development believes the variance requested is the minimum variance needed to construct a usable front porch in the front yard. Community Development does not foresee any negative impacts to adjacent properties should the variance be approved. Similar variance requests have been approved across the street in 2019 at 1120 Dell Avenue

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(V19-013), and next door in 1998 at 1109 Dell Avenue (V98-017). Thus, there is a precedent for variances of this type in the area. At the time of this report, Community Development has not received any calls in opposition to the request.

STAFF COMMENTS

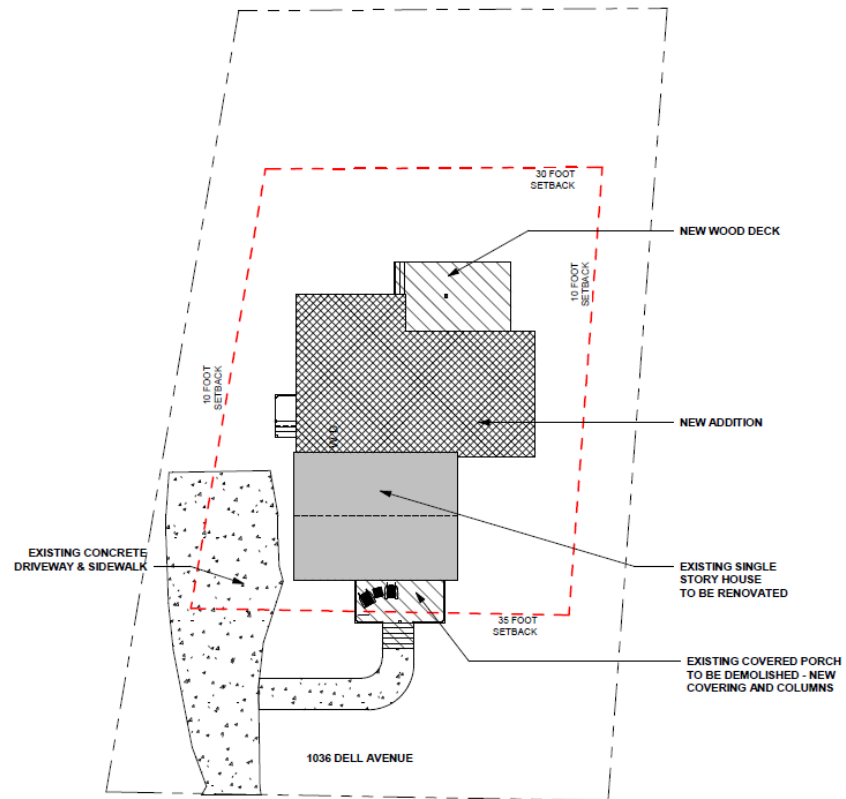
The applicant requests a variance to reduce the front setback for 1121 Dell Avenue from 35 feet to 32.5 feet for the construction of a front porch. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or 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 the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Figure – 1



**Figure – 2
Site Plan**



**Figure – 3
Proposed Front Elevation**



Figure - 4
Subject Property



Figure - 5
Adjacent Property to the West



Figure - 6
Adjacent Property to the East



Figure - 7
Adjacent Property across Dell Avenue

